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1818.

SELECT COMMITTEE ON THE EDUCATION OF THE POOR.

Mr. BROUGHAM.

Sir JAMES MACKINTOSH.	Sir SAMUEL ROMILLY.
Mr. ROBERT GORDON.	Mr. BENNET.
Mr. BUTTERWORTH.	Mr. BABINGTON.
Mr. JOHN SMITH.	Mr. JOHN HENRY SMYTH.
Mr. LAMB.	Mr. WILBERFORCE.
Sir JAMES SHAW.	Sir WILLIAM CURTIS.
Mr. CHARLES CALVERT.	Sir FRANCIS BURDETT.
Lord OSSULSTON.	Mr. BARCLAY.
Sir HENRY PARNELL.	Sir RONALD FERGUSON.
The Marquis of TAVISTOCK.	Mr. HOLFORD.
Mr. Alderman ATKINS.	Sir THOMAS ACLAND.
Mr. ABEL SMITH.	Mr. WROTTESELEY.
Mr. WARRE.	Mr. ABERCROMBIE.
Mr. SHELDON.	Mr. FREDERICK DOUGLAS.
Mr. Alderman WOOD.	Sir THOMAS BARING.
Mr. GRANT.	Mr. LAMBTON.
The Lord Advocate of SCOTLAND.	Mr. WILLIAM DOUGLAS
Mr. HUNTER BLAIR.	Mr. BOSWELL.
Sir JAMES GRAHAM.	Lord BINNING.

1818
COMMISSIONERS UNDER THE ACT.

HONORARY.

Rt. Hon. C. M. SUTTON.

Rt. Rev. Bishop of ST. ASAPH, (Dr. Luxmoore.)

Rt. Rev. Bishop of PETERBOROUGH, (Dr. Parsons.)

Rt. Hon. Sir W. SCOTT.

Rt. Hon. Sir W. GRANT.

Rt. Hon. C. YORKE.

STIPENDIARY.

J. W. WARREN, Esq.

W. ROBERTS, Esq.

W. MATHEWS, Esq.

J. H. HOLBECH, Esq.

W. GRANT, Esq.

J. M' MAHON, Esq.

T. MARSHAM, Esq.

Hon. D. FINCH.

READING SCHOOL CHARITIES.

HENRY BROUGHAM, Esq. in the Chair.

May 4.

Mr. William Andrews, jun. called in; and Examined.

You are town clerk of Reading?—Yes.

How long have you held that office?—I believe, three years last Michaelmas.

Did you succeed your father?—Yes, I did.

Had you acted with him when he was town clerk?—I had assisted him; and had been in his office, and no other office.

What are the principal charitable endowments for education in Reading?—There is a school, or grammar school, founded by Henry VII. for educating the boys of the inhabitants of the said borough and others of Reading, in literature.

What others?—I do not know what the words “and others” mean.

The Committee mean, what other charities are there in Reading?—The next is that of Mr. Richard Aldworth.

State what that bequest is?—The rents and profits of it are applied, amongst other things, for a schoolmaster, to clothe, educate, and maintain twenty poor boys in the three parishes in Reading; a Bluecoat school; it is also to teach thirty poor boys as day scholars; and there is also another object of the charity, which is, that two boys, of sixteen years of age, are to be put out as apprentices.

Have you the will?—Yes, here is a copy of the will and codicils. The will is dated the 21st of December 1646, the first codicil is dated the 15th February 1647, the second codicil is dated the 11th of March 1648, which is a nuncupative codicil.

Who are the trustees under the will?—The mayor, aldermen and burgesses of the borough of Reading, I believe.

What does the gift consist of?—The gift, I believe, consisted of 4,000*l.* in trust, to purchase lands, together with real property.

What is the yearly value of the estates now?—It now consists of a farm and lands at Shawfield, let at 400*l.* at Michaelmas 1811, previous to which the rent was only 196*l.* per annum.

When was the sum of 4,000*l.* laid out in the purchase of lands?—I find entries in the books in 1657, as to 2,000*l.* being laid out for the purchase of land; and in 1660 a like entry as to 1,900*l.*

Where are the estates?—They consist of a farm and lands at Shawfield, in the county of Southampton, to a Mr. William Lanson; I believe it is the whole purchase.

Is it stated in the entries in the books, what was purchased?—No, it is not; I believe the farms consist of lands that are let to that one person who I have named.

Is there any other property belonging to this trust?—I see in the receiver's books two entries; the one "William Pearce, 2l." and the other, "John Warren, 12s."

Is that for rent?—They are put down as rent.

Are there any other funds under Mr. Aldworth's will?—Not to my knowledge.

How long was the last lease, which determined in 1811?—I cannot state that to the Committee.

Was it the practice to let upon fine before 1811?—I am not aware that it was. To the best of my recollection it was only a 21 years previous lease.

Who was the lessee, do you recollect; or do the books show you?—The books will show me, [*looking at the books;*] John Hatwood is mentioned as renting and paying 108l.; that is for Lance Levy.

What is the date of the lease?—It is not stated here.

That is a lease that expired in 1811?—Yes; and I should rather suppose, that he was assignee of the lease.

Who had the other lands at that time?—It is put down, "Ditto, Marshall, 88l."

The same tenant?—Yes; but there were two leases vested by assignment in the same person.

Who was the original lessee?—There is the name of William Tubb, in 1795.

Does any other name appear before William Tubb?—Not from the books that I have now.

Does any trace of a fine appear?—No trace of a fine appears in these books, that I have brought here.

Have you a list of the corporation, in the year 1795?—I have it, but not here.

Do you know, or have you ever heard, that those lessees were members of the Corporation?—I have reason to believe not.

Have you reason to believe, that they were connected in any way with the members of the Corporation?—I have no reason to believe it.

Then how do you account for 4,000l. laid out a hundred and fifty years before, only fetching 196l. rent?—I expect that they produced as much as lands in the neighbourhood, when let at a fair rent.

Do you consider it to be a common case, in that neighbourhood of Hampshire, that land has not risen in value materially for 150 years past?—Undoubtedly it has.

Have you any doubt, that it has quadrupled upon an average in 150 years?—I should think not; but I am not a farmer, and cannot tell.

How many acres of land are there in those two farms?—I have no documents to show that.

Has the Corporation in its other or private capacity, and not as trustees for the charity, any land in its possession?—They have land and houses.

In what county?—In Berkshire.

Have they received no increase of rent for the last 150 years?—I should suppose they had.

Have you any doubt of it?—I should suppose they had; I have no doubt they have.

Have you any means of stating to the Committee, what rise there has been in the rent of their other lands, during the last century and half?—I have no means.

The Committee see, that the rent-roll of 1796 is here stated at 243l. 13s. 8d.; can you tell the Committee what this rent-roll was in former times?—I cannot.

What is it now, deducting the charities?—I should beg leave to decline answering that, as I am not acquainted with it.

What was the total rent of the lands in the management of the Corporation in the year 1796, and 1797?—It appears that that part of the lands and tenements, including in the book what are called "Hall Revenues," let in 1796 and 1797 for 1,328*l.* 6*s.* 3*d.*

What did the same rents amount to in 1813 and 1814?—To 2,548*l.* 3*s.* 9*d.*; this includes the private revenues of the corporation, as well as trust funds.

Have you any means of informing the Committee what the rent-roll was before 1796 and 1797?—I have not at this time.

What does this receipt mean in the corporation book, under the head "A further account of Mr. Aldworth's gift," by which it appears, that from 170*l.* to 180*l.* a year were received upon that charity in the years 1671 to 1677?—I really am at a loss to answer that question; I should suppose that Mr. Thomas Harrison was a gentleman in the corporation, and that he received that year 137*l.* 13*s.* 3*d.*; but there can be no doubt it is applicable to the revenue of the charity.

Do you know where is the book continuing that book which you have brought?—I really cannot state that to the Committee; of course it is with the corporation, but whether it be with their other documents and papers, I do not know.

Who is the proper officer with the corporation for the custody of those books?—The town clerk; all the books are in their town hall, in closets and chests, of which the mayor keeps one key and the town clerk another key; and therefore it is in the custody of the corporation themselves, by their mayor and town clerk having the key.

Who is the present lessee of Aldworth's lands?—Mr. Lanson.

Is it by lease or assignment?—There is an agreement to grant a lease; there is an equitable lease.

To him?—Yes, to him.

Did he pay a fine in 1811 for this lease?—I believe not; I should think not; I should not like to state to the Committee, that at the rent of 400*l.* a year it is considered as overlet; I should also state, that I believe the agreement which I did not prepare, and have not seen since the time it was done, or never saw it, but I rather think that after several years, the rent was to increase to 500*l.* but I believe he has paid only 400*l.* and probably there would be a disposition to relieve him still more.

Is he connected at all with the Corporation?—No.

Have the Corporation any rule of not letting their lands to themselves, or any persons connected with them?—They generally do not; there is a strong opposition to their letting them to persons of that description; but I should say, that generally charitable estates have been put up to the highest bidder, to be let by tender, which has been found disadvantageous in general, by inducing needy persons to bid beyond what they ought. They have been generally let by tender.

How long has that been practised?—For some years past; I cannot state the time; but so long as I have been connected with the Corporation, I have always observed that disposition. If I were to look through that book, I believe I should not find the name of any one Corporation man; I believe that relates to the estates belonging to the Corporation themselves; I am not aware of a single charitable estate being vested in a member of the Corporation.

Then how do you account for the rent of Aldworth's lands not having risen between the years 1780 and 1811?—I really am at a loss to account for it; I should suppose that there had been either a long lease previously, or that a fine had been taken.

Turn to Archbishop Laud's gift, and state what was the nature of that gift?—It appears to be a deed-poll enrolled in Chancery, or a deed of gift, dated the 26th of March, in the 15th of Charles, in the year 1640.

What did he give by that deed?—He gave lands at Bray in the county of Berks in the manor of Stroud, and others, and I believe nothing else.

What was the yearly value at that time?—He states in his gift that he had let it at a rent of 200*l*.

Can you produce a copy of that deed?—Yes, here it is.

[The witness then produced the deed of gift, of Archbishop Laud ; which was read :

When was this rent of 200*l*. increased?—Here is the account itself for every year. It appears to have been increased at Michaelmas 1808, from 200*l*. to 607*l*. I should state, that previous to that there appears to be a land tax paid by the tenant of 31*l*. 11*s*. added to the rent.

What is the present rent?—With regard to that, I know not whether it be 635*l*. or 625*l*. but I should rather say 635*l*. let to Messrs. Hallaway and Stevens.

Where does the estate lie?—At Bray, in the county of Berks.

How many acres are there?—I cannot state positively ; but it is somewhere about 330 acres.

Is that reckoned the full rent?—Yes ; it is undoubtedly ; a very large rent, and probably it is as good a farm as any in Berkshire.

How did it happen that the rent continued without rising from Archbishop Laud's death till 1808?—Because it was so provided in the gift.

How was it increased in 1808, notwithstanding that provision in the gift?—The tenant having suffered the property to be dilapidated, they threatened to proceed against him, and he was induced to surrender his estate and interest in the premises.

How did that give the corporation a right to let it for a higher rent to another tenant, when the deed says expressly, it is never to be raised?—The succession of tenants, which the donor had provided for, had ceased, and the corporation were entitled to re-enter, and to let it at a higher rent ; they did not re-enter, because the tenant surrendered.

Who was to choose the tenant?—He had demised it to the tenant himself, and it amounted to almost a renewal.

What was the nature of Sir Thomas Rich's charity?—I believe it was a gift of 1,000*l*. to be laid out in the purchase of lands.

When?—Upon the 16th of May 1666. It was a will.

What was the value of the lands at the time they were purchased?—1,000*l*. appeared to have been given for them ; they were the lands of Straightley.

What year was the purchase made?—In 1670.

What was the rent of those lands in 1796 and 1797?—The rent up to 1810 was only 54*l*.

Where are those lands situated?—At Straightley, in Berkshire.

How many acres are there?—I have not got down what it consisted of previous to the late inclosure ; it now consists of 110 acres and 38 poles.

What is the present rent of it?—260*l*. a year.

How do you account for the rent having continued so low as 54*l*. a year for nearly a century and a half after the original purchase?—The lands are at present by 60*l*. overlet, which reduces the rent to 200*l*. and I am aware that when the last lease expired in 1811, there had been a long term previously of 50 or 60 years duration.

What were they let for, previous to that term?—I cannot say.

Suppose they were then let for 40%. there had been a fall of rent?—
Yes.

How many acres were there before the inclosure?—I believe by the inclosure the estate has been diminished 30 acres. It is exonerated of great and small tythes; and if the Committee please, I will state the whole circumstances: it is exonerated by the late inclosure of the great and small tithes. The rates under the inclosure amounted to 610*l.* 3*s.* 9*d.* although the trustees could only raise 540*l.* under the Act, for the purpose of paying those rates; the consequence of which is, that the lands have been in the hands of the commissioners for the last two or three years past, and we could not borrow money, to pay what the charity was indebted to the trustees.

What is the nature of Malthus's charity?—It is a rent-charge, arising out of Blewberry, of 91*l.*

What is West's charity?—It was originally 1,200*l.* orphan stock; it is vested in the Clothworkers Company in London; I believe it is upon trust to purchase lands.

Where were they bought?—I do not believe they have ever been bought; I believe now they consist of 1,078*l.* 8*s.* 4*d.* in the 4 per cents. and 613*l.* 6*s.* in the 3 per cents.

What have the corporation of Reading to do with this fund?—They were entitled to the rents of it, for the purpose of providing for the maintenance and education of six poor boys in Reading, and they also consisted of a parcel of fee-farm rents in the county of Northampton, amounting to 6*l.* 5*s.* 6*d.*

How is the 400*l.* a-year, arising out of Aldworth's charity, bestowed?—It is directed to be bestowed for a schoolmaster, to clothe, educate and maintain 20 poor boys, of the three parishes, in Reading, in the Bluecoat school, and to teach 30 boys, as day scholars, yearly; and for two boys, of 16 years of age, to be put out apprentices.

Does the income of Aldworth's charity do more than maintain those 20 boys, and educate the 30 day scholars?—It has not done that; the charity is indebted to the trustees.

In what state is the fund of Archbishop's Laud's charity; is it indebted to the trustees?—No; at the time of the visitation of this charity, in 1814, there were 879*l.* as a balance in favour of the charity.

For what purpose does that accumulate?—It has not accumulated, but is appropriated under the deed of the charity.

How has the surplus rent been appropriated?—Under an order of the Court of Chancery.

What is the purpose of Rich's charity?—The rents and profits are applied for the purpose of maintaining six poor boys in the Bluecoat school in Mr. Aldworth's hospital, there to be made choice of by the landholders of the town and parish of Sonning, Berks, and Oxon.

Does the 260*l.* per year do nothing more than maintain those six Bluecoat boys?—It would maintain six boys now, but the whole rent has not maintained those six boys, so that the charity is indebted to the Corporation.

How much is it indebted to the trustees?—I cannot state the amount.

What is the expense of maintaining the six poor boys?—I believe it is calculated, that the boys at an average cost the trustees 22*l.* a piece.

How is the 128*l.* yearly of overplus to be appropriated after the debt is discharged?—I am not aware that the will provides for it; of course the charity would be augmented, as to the number of boys.

Have you any idea of the amount of the debt?—No, I cannot state it; I have heard of 1,500*l.*; but till the account is made up, it is impossible

to speak; they have kept up the six boys, with the fluctuation of boys going out of school.

What is Malthus's charity?—It is for the maintenance of eleven boys.

Are these eleven boys maintained with it?—Eleven boys have been maintained, but at this time the charity is not full.

How many are there now?—I see there are seven boys upon the charity now; and I should state also, that they have been very recently elected.

What is the estimated cost of maintaining those seven boys?—From 20*l.* to 22*l.* I should suppose, upon an average.

How is the surplus of 30*l.* a year bestowed?—There is no surplus at present; every charity connected with the school is indebted to the corporation. The committee are aware, that up to some short time since, the estate only produced 91*l.* but now it is 191*l.*; I should except Archbishop Laud's charity.

Is there a balance in favour or against the corporation, upon the whole of the charities, including Laud's, namely, Archbishop Laud's, Aldworth's, Rich's, West's, Malthus's?—Excepting Laud's, but as to the other four there is a balance against the charities.

By taking the whole five together, is there a balance for or against the corporation?—Taking them in a mass, there is a balance in favour of the corporation.

To what amount you cannot tell?—I cannot tell; I have nothing to do with the management of these charities; I have only the partial custody of some of the papers.

What balance does it appear that there is in the treasurer's hands in September 1815, upon his whole transactions?—I cannot state the balance; this account, although it be passed, referred to and examined, as up to Michaelmas 1815, is only up to Michaelmas 1814.

What is the foundation of Hall's school?—Among other things, there is a house for the schoolmaster, to maintain and teach three poor boys one year, to clothe them, to furnish a bible for each boy, to pay for the master's salary, and 18*l.* a year for each boy, besides 6*l.* to each boy, to apprentice them.

What is the revenue of the charity?—I make it amount to 95*l.* 2*s.* 6*d.*; I should state, that there has been some additions to that charity.

What is the date of Hall's gift?—I believe it was dated the 31st of December 1696.

Have the lands risen in rents since that time?—I should suppose they have; but I have not got documents to answer that question.

Are they low let now?—They were let at 40*l.* exclusive of land tax, 4*l.* 13*s.* 4*d.* which makes the amount 44*l.* 13*s.* 4*d.*

How many acres are there?—The farm which I am speaking of before the inclosure, was 27 acres of inclosed land, and 23 acres of commonable land; it has been lately inclosed; I do not know the amount now.

Do you understand it now to be let at a fair rent?—It was let upon lease to a Mr. Benyon, which is within a few years of expiration; he is under treaty with the corporation to surrender that lease, and there is likely to be a considerable increase.

Do you know what the purchase money originally was?—I believe it was originally devised by the donor.

Has any further gift been made to this charity lately?—Yes, there have been; there is also a messuage and lands at Lychester in Hants, in the possession of John Keith.

And in the possession of John Stevens?—Yes; a yearly rent charge of 25*l.* subject to some abatement for land-tax.

What has been added to the charity lately?—There has been an addition by the residuary estate of Mr. Hand Norwood, amounting to 1,741*l.* in the 3 per Cents. Reduced Annuities, and a dividend of 147*l.* odd.

How is this money bestowed?—Upon five poor people resident in some almshouses mentioned in the will; the maintenance and education of three poor boys in the Bluecoat school, and a salary to the master, 5*l.*; and 40*s.* for every boy each year, for a cloth coat, and 6*l.* for apprenticing each boy, and 18*l.* a-year for the maintenance of the boys; that was provided for under the will, but they cost more than that.

Does the 147*l.* odd a year do no more than maintain those five poor people, and three poor boys?—There are some other objects of the charity. For some years past 10*l.* have been paid, for apprenticing those boys, and within a year or two 20*l.* and besides, there is firing and clothing for the five alms people.

Is the charity indebted to the trustees?—I believe the account is clear at present, but it is impossible to state it exactly; the account is preparing to be passed by the visitors next Monday.

Is there a schoolhouse belonging to Hall's charity?—There was a schoolhouse given under the will; but that is now let to a charity called the Dispensary, at Reading; and the boys are removed to the Bluecoat school, in order that there should be one master, and the boys be together.

What is done with the schoolhouse?—It is let to the Dispensary for seven guineas a year; it is a very small tenement. There is clothing for these boys also provided for, under the will.

Are there any other charities at Reading?—There are some other less considerable charities.

CASE OF ST. BEES SCHOOL.

May 20.

James Sheffield Brooks, Esq. called in; and Examined.

ARE you a Solicitor in London?—I am.

Have you had occasion to make any inquiries with respect to the foundation of the school of St. Bees, in the county of Cumberland?—I have for the last few months had occasion to attend to the subject very much at large. I was originally applied to by some gentlemen in that neighbourhood, to see whether proceedings ought not to be instituted of a legal nature, to obtain the property which they understood had originally belonged to the school, but which had been for many years in the possession, whether rightly or wrongly, of the Lonsdale family.

For how many years?—Since the year 1742. In consequence of their application, I desired to see the late master of this school on his coming to town, which I understood he was about to do, within a month or two after the time I was applied to.

Was his name Wilson?—Yes.

Is he tutor in the family of Viscount Galway?—He is, or lately was; but is at Oxford at present. I took down in writing the substance of the examinations, which I had repeatedly, of this gentleman; and I also

saw the provost (Doctor Collinson) of Queen's College, at Oxford, who is one of the official governors of the school; with regard to Mr. Wilson, I found reason to believe, that he had been turned out of the school a few years since, under circumstances which appeared to me of a harsh kind, and as it seemed in consequence of having pushed certain inquiries relating to the rights of this school to an inconvenient extent.

What communications did he make?—That the manor of Saint Bees, otherwise Kirkby Beacock, together with some adjoining property in Sandwich, altogether of a very considerable extent, formed, as he believed, the original endowment of Saint Bees School; that about the year 1742, an ancestor of the present Lord Lonsdale, had obtained a lease at a small rent; I believe at 3*l.* 10*s.* or 3*l.* 16*s.* but certainly under 4*l.* of the whole of the royalties of these manors. I also found reason to believe, that there were very extensive coal mines, which had been wrought either from that period, or certainly for many years past, and that the product of those mines had amounted to some thousands per annum.

Since that period?—Yes.

For how long a time did you understand that lease to be granted?—For 867 years.

Did you understand that the person of the Lowther family, who obtained the lease, was a trustee of St. Bees School?—Yes, at the time of the granting the lease, undoubtedly; but I beg to be understood, that I am stating the result of information and inquiries, which hitherto have been totally *expartè*.

Did you understand by royalties, the whole property in those manors of Saint Bees school?—No, I meant the right of getting coal chiefly.

Did you understand, that the right of the soil had not been departed with, beyond the right of digging for coal?—Certainly; I understood that the right of the soil remained in the governors; but that the right of getting the coal had been leased to the Lonsdale family.

Had coal ever been worked there before?—That I do not know; I should think, probably not in St. Bees, before the lease was obtained; but I am speaking merely conjecturally.

Have you had any communication upon this subject with the provost of Queen's Oxford?—Yes, I saw the provost about a month since.

Did his information confirm that which you had previously obtained? It certainly did; and I saw in the provost's possession, a letter from a Mr. Hodgin, whom I believe is now the legal agent of my Lord Lonsdale; and in that letter, which is dated several years since (I think in 1807,) he states expressly to the provost, that at that time, coals were being got in the manor of Saint Bees, otherwise Kirkby Beacock, by Lord Lonsdale. Since the date of that letter, Mr. Hodgin has become my Lord Lonsdale's agent, as I understand; indeed, it must have been subsequent, because I conclude, he would not have written that letter, if he had been Lord Lonsdale's agent at the time.

What was the purport of that letter, besides the statement respecting the coal?—To call the provost's attention to the subject, as being one of the governors who had a right to interfere.

Do you recollect any thing further stated in the letter, as a ground for calling the attention of the provost to that subject?—Nothing, but that the provost ought particularly to look into the subject, as being a governor, particularly entitled to attention from his official situation.

Did he state any thing with respect to the annual value of the property under lease?—No; except that in general terms I understood him to speak of it as if he thought it very valuable.

Did the provost interfere in consequence of this application?—The provost (as I understood from him) did afterwards see Lord Lonsdale;

but he had taken no proceedings upon the subject himself; neither was he, I think, perfectly satisfied with the explanation given by Lord Lonsdale.

Are you aware of any reason which prevented the provost from interfering in the subject?—He is a very old man; but he expressed himself, on parting with me, desirous to have the subject inquired into, and said, that he was ready to produce the letter of Hodgkin's, and other documents, when he should be regularly requested so to do.

Did he state any thing as to his apprehension of the amount of arrears now due?—Nothing.

Do you know in whose custody the records or other written evidence belonging to the school are?—They are kept in a chest, I understand, at the school house in Saint Bees, to which chests there are three locks and three keys, which keys are in the possession, as I understand, of some of the governors; Lord Lonsdale has one.

Who are the present governors?—Doctor Collinson, officially, I suppose; Mr. Armitstead, a clergyman in the neighbourhood; Lord Lonsdale himself; Doctor Satterthwaite, and one or two others, whose names I do not recollect.

Is Mr. Flemming, rector of Bootle, one?—I do not recollect.

Is Mr. Senhouse?—Mr. Senhouse is one.

Is the rector for the time being of Egremont, one?—Yes, I believe he is one; but there is one subject of complaint which I think right to mention to the Committee, namely, that some of these governors are under the influence of Lord Lonsdale.

Did you understand any thing to have been done at any time with respect to the custody of the documents?—Yes, I understood from Mr. Wilson, indeed I took it down in his examination, which I can produce, that an application was made to him by Mr. Armitstead and a person who is dead, who was then the solicitor of Lord Lonsdale, requiring to have possession of the deeds in the chest, or at least to look at some of those deeds then in the chest, being at that time in the custody of the head master (Mr. Wilson,) they are kept at the school house, as I mentioned before, and Mr. Wilson refused to permit them either to take any of the deeds out of the chest, or even to inspect them, except in his presence; the reason he assigned for objecting was, that he thought by the statutes the head master was himself entitled to have the care of the deeds; and consequently that the chest ought not to be opened, except in his presence; that they persisted in looking, at least, at those deeds; and that he accompanied them in the room; that they took out a lease, which lease he understood to be a counterpart of the lease in question; that they kept it for some time, he having previously remonstrated against their taking it; and that it was afterwards brought back, and when he left the situation, was again in the chest, where it ought to be now.

Had any thing been done to the deed which had been taken away?—It was said, that some erasure had been made in the deed; but when made, Mr. Wilson could not tell.

Did you hear of any other attempts made to get possession of the records?—I do not recollect any other.

In what year was this said to have taken place?—It was about a year or two before Mr. Wilson left; but the particular year I cannot tell, without turning to the papers.

What was the alleged ground of Mr. Wilson's dismissal?—The alleged ground I understood to be, that he gave too many holydays to the boys.

Who was appointed his successor?—I do not know the gentleman's name who is now the master of the school.

Has the school any solicitor, or any other agent, in London? None that I am aware of.

Who is its attorney in the country?—I do not know that any one looks after it, except my Lord Lonsdale's agent, Mr. Hodgkin.

Were you informed of any other leases having been granted, of a similar kind, belonging to the school?—I heard, that about a century since, several of the lands were granted to the tenants, at very inadequate rents.

For what terms?—For very long terms indeed; perhaps two or three hundred years at least.

Have any of the other trustees leases under the school?—I am not aware that any of the other trustees have leases, and I do not think they have.

Did you hear of any other very long leases, of a very beneficial nature?—None but these I have mentioned.

Are you aware, who has the enjoyment of the soil so leased?—As to the soil, I believe, it is now in the possession of the tenants under those leases, which I have last mentioned.

Do you understand, any of the trustees to have any lease of the soil?—No; I think not the present trustees; whether any of those who got the leases in former times, were upon the trust or not, I do not know; they seem to have had very good interest with the trust, and I have no doubt that those leases are exceedingly beneficial.

Have you ever heard, what the revenue of the school is, altogether?—Not exactly; unfortunately, not having any access to the documents which would give that information, they having been inaccessible to me hitherto; it is very difficult to get that information; but, I believe, the present revenue to be exceedingly trifling; I believe the master has not above 50*l.* a year; they reduced Mr. Wilson's salary before they turned him out, because it was alleged that the funds would not afford to give so much as he formerly enjoyed.

Do you know any thing about the constitution of the school?—I have copies of some papers.

What prevented an information from being filed, upon this matter?—Lord Lonsdale's great influence, appeared to me to have had very much the effect of deterring people, in general, from wading into this subject, and they might also think the proceeds in the Court of Chancery, an expensive and somewhat dilatory process; these are supposed, by those I have conversed with, to be the reasons; but, I think also, that if it had not been known that this inquiry had been going forward, it is probable, from this being considered so gross a case, that some individuals would have come forward, to have done what they could.

How long have you been in possession of this information?—I have been constantly inquiring into the subject, for the last six months, or more.

But in point of fact, Dr. Collinson was in possession of this information, as far back as the year 1807?—Yes, at least; he had that letter, to which I have referred.

May 22.

The Reverend *William Wilson*, called in ; and Examined.

You are a fellow of Queen's College, Oxford?—Yes.

Were you master of St. Bees School?—I was.

When were you appointed?—I was appointed in 1811.

How long did you continue master?—Till the year 1817; till the month of June in that year.

During the time that you were schoolmaster, did you attend any of the meetings of the governors of the school?—I always attended at the annual meetings, in the governor's room, which are held according to the statutes, soon after Easter.

At these meetings, are the accounts audited?—They were never regularly produced, and I never had a sight of the accounts, except for a few moments, once.

Who kept the accounts?—Mr. Younger, the attorney, of Whitehaven, who is now dead.

Was Mr. Younger one of the governors?—No.

What office did he hold in the charity that he kept the accounts?—He acted as the deputy receiver, and steward of the court; the court of the manor of St. Bees.

Who are the lords of the manor of St. Bees?—I suppose, the governors of the school.

Who was the principal receiver, while Mr. Younger was deputy?—Mr. Ponsonby, of Hale Hall; and after his death, the Rev. Mr. Armitstead.

What audit did those accounts, to your knowledge, undergo?—They never appeared to me to pass through any regular audit, that I was aware of.

Who were the governors that attended the meetings, generally; name those that generally attended, and took an active part?—Mr. Ponsonby, while alive; Mr. Humphrey Senhouse, of Nether Hall; the Rev. Doctor Satterthwaite, then rector of Bootle, but now of Lowther, I believe; and the Rev. Mr. Scott, of Egremont, since he became rector of Egremont.

Are these all the governors?—There are seven; I have mentioned five; the provost of Queen's College, is another, but he never attended; and the Rev. Mr. Fleming, now rector of Bootle; and the Rev. Mr. Armitstead, of Whitehaven, were appointed during my residence at St. Bees, after which they generally attended.

Are these all the governors you ever saw attend?—The Earl of Lonsdale is a governor, and attended at one special meeting only.

Who succeeded Mr. Ponsonby?—Mr. Armitstead.

What business was usually transacted at the meetings of the governors?—Any business relating to the school; business relating to the revenues of the school, or the management of it.

Did you ever see any business transacted respecting the granting of leases?—No.

When were such leases considered and granted?—I do not recollect that any were granted in my time.

According to the course of business adopted by the governors, do you know how it is usual for them to transact business with respect to granting leases?—I should suppose, in the governor's room.

Is a special meeting called when a lease is to be granted?—I am not aware of that; it does not fall within my knowledge.

Do you know who executes the leases, on the part of the lessors?—I am not aware that any leases have been granted lately.

When they are granted, do you know what the course of the governors is; which of them executes leases?—It is required by the statutes, that the common seal of the school be affixed to the leases in the presence of the schoolmaster.

Is any regulation laid down, respecting the signing of leases, on the part of the lessors?—Not that I am aware of.

Do you know any thing respecting the boundaries of the manor of St. Bees?—Not certainly; only by reputation.

Do you know any thing by reputation?—Yes; I know some part, but not the whole of the boundaries.

What are the reputed boundaries, as far as you know?—On the side next to Whitehaven, near to the collieries; I have always understood that Sandwath-lane is the boundary of the manor on that side; I do not know any thing of the other boundaries; but I should suppose, that there is no difficulty whatever in ascertaining them from the tenants under the school, who know exactly what lands they pay rent for.

How many tenants are there under the school?—I am not aware of the number at all.

Do you know about how many acres the school has on lease?—I am not aware of that; the original grant by King James, specifies seventy tenements as given to the school of the manor of Sandwath and St. Bees.

Were those part of the estate of Sir Thomas Chaloner?—Yes.

What has become of those tenements?—I believe they were leased for a thousand years, in the year 1608; I think I am correct.

Are those leases still subsisting?—I have seen one, which was in the possession of Mr. Barnes, when he was master at St. Bees; and it was given to me by his widow when I took possession of the school. It was a lease of an estate called Seacote.

What was the rent reserved?—About fifteen shillings, or fifteen and eight-pence.

What was about the extent of the land leased?—I think about 30 acres, but I do not recollect that the number of acres was specified in the lease.

Who was the tenant?—The present tenant is Mr. James Hale; a person named Hardness was the original tenant, to whom the lease was granted.

Were those 30 acres in the neighbourhood of Whitehaven?—They are in the neighbourhood of St. Bees.

How far from Whitehaven?—Between four and five miles.

What may be the yearly value of that estate now, as far as you can guess?—I cannot form any judgment.

It is worth more than 15s. per acre?—Yes, of course; it is considered as a very good estate.

Do you know of any other of these leases of the year 1608?—I have not seen any other.

Do you know of any other having been granted of a larger extent of land, and to whom?—It is understood, that all these seventy tenements were granted under leases of the same description.

Do any of these tenements go near Whitehaven?—Those in Sandwath are not far from Whitehaven.

How far from it?—Two miles.

Then is two miles the nearest way to Whitehaven, that any of the property of the school goes?—Yes, I think so.

Do you know of any leases having been granted in the year 1742, by the St. Bees governors?—Yes, one.

For what term?—For 867 years.

At what rent?—Three pounds ten a year.

To what person?—To Sir James Lowther.

Do you know who were then the governors?—No, I do not know all; except that Dr. Airey was then provost of Queen's College, and I know that Sir James Lowther himself was another governor at that time; and to ascertain that point, I have myself consulted the registry, an account of which I gave to the provost in one of the letters in my possession.

Of what was this lease?—Of the coals belonging to the school. There are two manors belonging to St. Bees school, as I believe, called the manors of St. Bees and Sandwath.

Of which manor was this a lease?—I believe of both.

Are the coals worked under this lease now?—There is no pit sunk within the manor; but it is generally understood, that two, or at least one, of the pits are wrought into the manor of Sandwath.

Was any lease granted, at the same time, of the surface?—Not that I know of.

Who, in point of fact, occupies the surface?—The tenants. The governors have stone quarries within the manor, which they let to different persons; they have also an alabaster quarry, which is also let.

To different tenants from the tenants of the collieries?—Yes.

Then, in point of fact, the lessee of the coals does not occupy the surface?—No. The surface I suppose to have been leased in the year 1608, for a thousand years, and the lease of the coal was made for a term of 867 years, that it might end as it should seem at the same time.

1608	-	A.D.	-	1742
1000	-	A.D.	-	867
2608				2609

The difference of one year may arise from the idea, that the first leases were only for 999 years, as some have supposed.

You say there are no pits sunk within the manor?—I believe not.

Were there ever any pits sunk within the manor?—There is a letter in the bursary of Queen's College, addressed to the provost, on the subject of renting the collieries belonging to the school.

From whom is that letter?—From a person who had rented the collieries before.

What is the date of it?—I do not recollect the date.

Is it before 1742?—Yes.

What offer does he make?—I do not recollect that any sum is specified; he only requests that he might be allowed to rent them again as he had before.

Is there any answer, or any draft of any answer kept?—Not that I have seen.

Then it does not appear whether he was or was not allowed to treat?—No.

Do you recollect the names of any other trustee besides those of Sir James Lowther's lease in 1742?—I am not certain.

Was not Mr. James Spedding the agent of Sir James Lowther in that transaction; and is he not so designated in the papers relating to the lease?—I do not know.

Do you know, in point of fact, that he was Sir James Lowther's agent?—Yes, I believe he was. It was said that he was.

Do you recollect the name of any other governor who was a lessee of any other part of the school property?—No, I cannot say that I do.

Are there remains of an old pit having been sunk within the manor?—I have never seen any.

Was the lease only of the coals, or of the coals and royalties?—I am not aware whether the royalties were included.

Were the pits which you describe in the neighbourhood of the manor, near the boundaries of the manor?—Yes.

How far from the boundaries of the manor?—I should suppose, within a quarter of a mile, or less.

To whom did they then belong at the time of granting the lease?—I am not aware of that.*

Are you aware that they ever belonged to any other persons than the present lessee and his family?—No, I cannot say.

When you were schoolmaster, had you the custody of the muniments of the school?—No.

Who had?—They were in a chest locked with three locks, of which the keys were in the possession of three governors, and one of those keys was in the hands of the receiver for the time being.

In whose custody was the box or chest?—In the governor's room which room is now used as a bed room.

What control has the schoolmaster over the locks, by the statutes?—By the statutes, he is required to have one key of the door of the room in which the box is kept, and the other key of the door is to be in the hands of one of the governors; but I believe the receiver is excepted by the statutes from having the possession of the other key of the door.

Are there two locks to the door, or only one lock with two keys?—When I went to the school there was no lock; by the statutes there are to be two; by the statutes, the schoolmaster is required to have a key of the seal, which ought to be kept in a casket, and that casket to be locked in the chest.

Are there any other locks to be to the casket but one?—Only one lock is required, and that has never been fit for use in my residence at St. Bees.

Are there any other keys of the casket allowed by the statutes, except that kept by the master?—No.

Is it by the force of the statutes that the master's intervention is required for use of the seal?—The statutes require, that the seal shall not be used excepting in his presence.

Was any application made to you by any persons while you were there, for the inspection of the papers?—Yes.

Relate the circumstances of that application?—Mr. Armitstead, one of the governors, and Mr. Younger, the deputy receiver, who was at that time agent to Lord Lonsdale, made the application.

Give us a date?—Easter, 1814.

Was any body else with them?—No; they came to the school and asked to go into the governor's room; I said, "that I should show them the way." They said, "they knew where the room was, and they 'could find the way themselves.'" But I went with them into the room: they had the possession of the three keys; Mr. Armitstead had

* It would appear from Strype's Life of Archbishop Grindall, that the Collieries belonged to Sir Thomas Chaloner.

one, and Mr. Younger had two of the keys. They proceeded to open the chest, and Mr. Armitstead began to search the papers in the chest. After some time, Mr. Armitstead said, "I believe Mr. Younger, this is the paper we want."

Did you see what paper it was?—I shall proceed to state how I came to see it, Mr. Younger looked at it, and said, "that is it: put it into your pocket." I then remonstrated with Mr. Younger, observing that it was contrary to the statutes, to take any paper out of that room: and he said, "that Mr. Armitstead was a governor, and had a right to do what he pleased; and it was no business of mine." I said that I felt interested for the welfare of the school; that I could not allow papers to be taken out, without remonstrating. He still appeared very unwilling to give me the paper, and was proceeding to fold it up, and was offering it to Mr. Armitstead, desiring him to put into his pocket, and I snatched the paper out of his hand. I said, "you will excuse the liberty that I am taking; but if you are determined to take it, I am determined to see what it is." It appeared to be the lease granted to Sir James Lowther, which I before mentioned.

Had you then an opportunity of seeing the date, and the term of years?—Yes; I took a memorandum of the endorsement upon it.

Have you that memorandum now?—No, I have not at present; they then took it away, but returned with it in about an hour's time, and said, "that on second thoughts they considered it better to return it to the chest; that they had taken what memorandums they wished from it, and that if I chose to do the same thing, they would give me the opportunity." It was then that I took the endorsement on the back of it.

Where had they gone during the time they carried it away?—They went to visit the part of the common that had been allotted to the school.

Were they walking, or on horseback?—On horseback: but I suppose they went to the inn before they visited the common; but I did not see them from the time they left the house, till the time they returned.

Was the chest then locked?—When they returned the lease, they opened the box again, and put the lease in again, and the box remained in the room as before. It was some time after that, that a special meeting of the governors was called, and I was requested to leave the room, which I declined to do, stating, that I conceived it was my duty to remain in the room. Lord Lonsdale, who was a governor, attended the meeting.

State who were present?—The Earl of Lonsdale, the Rev. Mr. Scott, the Rev. Mr. Armitstead, the Rev. Mr. Fleming, Mr. Senhouse of Nether Hall, and Dr. Satterthwaite, and Mr. Younger, with a Mr. Hobson, at that time a clerk of Mr. Younger's; the latter was desired to leave the room, during the discussion about my remaining, but whether he was admitted after I left, I do not know; I believe that was all, I was desired to leave the room, which I declined, stating, that I conceived it my duty to remain there. His Lordship said, "Do the statutes require you to be present?" I said, "It was implied in the statutes that I ought to be present." He said, "We do not want your interpretation of the statutes, Sir." I replied, that that was the interpretation my conscience dictated me to put on the statutes, and that I must be guided by it. He then turned to the rest of the governors and asked what should be done in this case. They said, "Mr. Wilson ought certainly to leave the room, as he has been requested to do." I said, that, "if I was compelled to leave it, I should, but not otherwise."

In whose gift is Mr. Armitstead's living?—In the gift of Lord Lonsdale.

In whose gift is Dr. Satterthwaite's?—Lord Lonsdale's.

In whose is Mr. Fleming's?—Lord Lonsdale's; the living Mr. Fleming has now.

Do you mean to state, that Mr. Fleming's living, at that time, was in Lord Lonsdale's gift?—I mean to say, that the living he now holds is.

What answer did you make, when the governor said, you must leave the room?—That I should not leave it, unless I was compelled to leave it. The observation was, that I had been desired to leave it, and they conceived that I ought to do so, at their request. I then observed, that I certainly should not leave the room, except upon this condition. His Lordship replied, "No condition, Sir." I said, "I cannot consent to leave the room without the custody of the seal," observing, that the statutes required that the seal should be under lock and key, and in a casket, and that casket locked up in a chest; that I never had any key of the casket given to me; and I requested that I might either have it put under a lock and key, or else that the seal should be consigned to my care, whilst I was out of the room. The reply was, that there is no lock to the casket, and that I had no right to take the seal out of the room any more than any body else had to take any thing else out. The question was then put to me, whether I meant to leave the room or not, I said, that as I considered myself compelled to do so, and the custody of the seal was refused to me, I should then withdraw.

Did you accordingly withdraw?—Yes.

How long did you continue absent?—Nearly two hours, as well as I recollect, but I am not certain as to the time.

Do you know what was transacted in your absence?—No, I do not, except that a minute was read to me, on being called in again, stating, that in consequence of the expenses they had been at in inclosing the common, it was necessary to take 20% from my salary, which was then reduced from 70% to 50% a year.

Have you any means of estimating the value of the coals leased at 3*l.* 10*s.* the yearly rent?—I have no means of estimating the value. I did once make inquiry what coals were taken out of that pit next to the manor of Sandwath, but I do not recollect the quantity.

Do you recollect, generally, what might be the quantity?—I cannot say at all, at present.

Do you know the name of the pit?—Wilson Pit.

It is a very large colliery?—Yes, I believe it is.

It is a great concern?—I was present, with a friend, when he made the inquiry.

Do you recollect the result of the inquiry, at all?—No, I do not, to a certainty.

Do you recollect if your friend formed an estimate?—Yes, he did form an estimate at the time.

And what did he estimate it at?—At several thousands a year; but I am not certain as to the sum.

How soon after the occurrence that you describe, were you dismissed from your situation of schoolmaster?—I was not dismissed, I resigned it.

State the circumstances that led to your resignation?—The immediate circumstance was, the offer of a situation in my Lord Galway's family; but among the reasons of my resigning, one was, that I could not get licensed to the school.

State to the Committee, all the particulars respecting the application for the licence, and its refusal?—I applied to the bishop of Chester, the diocesan, for a licence, which he promised to grant me, as soon as I procured testimonials. I applied to Mr. Armitstead, for his signature, which at first he promised to give me, but afterwards returned me the testimonials without his signature, stating, that he conceived, as go-

vernor, he ought not to do any thing towards fixing me in a situation from which it might be the wish of the governors to remove me.

Was this refusal of Mr. Armitstead before or after the meeting of the governors you have described?—I believe it was after.

Try to recollect?—I am not certain, it might be before.

Was it before or after the occurrence which you have related respecting the visit of Mr. Armitstead and Mr. Younger to the chest?—It was certainly subsequent to that, and, I believe, also to the special meeting of the governors mentioned above.

Had you ever had, before the refusal of Mr. Armitstead, any difference with the governors upon any subject?—No; I do not recollect that any thing of the kind had taken place between us.

Go on to relate the circumstances respecting the refusal of the licence?—I then procured the signatures of four other clergymen, and I forwarded the testimonials to the bishop of Chester, expecting to have my licence granted to me.

Was it to bishop Law that you forwarded them?—I forwarded them to Dr. Law, bishop of Chester; his Lordship returned for answer, that he understood that my conduct was not satisfactory to the governors, and that until he was satisfied of that he could not grant me a licence.

What was the date of the bishop's answer?—I have not got his letter in my possession at present.

Do you recollect about what time it was returned?—I cannot say; my papers have not been in my possession since I left Lord Galway's family.

Was the bishop's answer before or after the meeting of the trustees that you have described?—I think it was after.

What time, as near as you can recollect, was the visit of Mr. Armitstead and Mr. Younger to the chest?—It was in Easter week, in 1814.

What time was the meeting of the governors, as nearly as you can recollect?—It was some time between July and October, 1814.

As nearly as you can recollect, what time did you receive bishop Law's answer to your application?—I cannot say more, than that I believe it was after that time.

How did they allow you to remain so long without the bishop's licence?—The bishop said, that if he found my conduct was satisfactory to the governors, he would license me at some future time.

He said that in the letter he wrote to you?—Yes.

Have you the bishop's answer to your first letter?—Yes.

Where are your papers?—They are on the road from Lord Galway's.

Previous to this discussion with the two governors, and also the meeting afterwards, had you ever made any inquiries with respect to the management of the school, generally of the school, into the administration of the school affairs?—I had made inquiries with respect to the thousand years leases of the school property, and the lease of the coals. I was anxious to know the state of the question with respect to these things; because a good deal was said about them in the country, especially about the lease of the coals.

About what time had you made these inquiries?—As soon as I went to the school.

Then you had made these inquiries before the meeting of the governors?—Yes.

And before the refusal of Mr. Armitstead to grant your testimonials?—Yes.

And before the refusal of the bishop to grant you the licence?—Yes.

At what time did you go to the school?—In February, 1811.

Has any thing passed since the letter of the bishop, that you have last spoken of, upon the subject of your licence?—The letter I spoke of, was

that in which he declined granting my licence, because the governors were dissatisfied with my conduct.

Have you had any communication with him on the subject since that?—About that time the bishop wrote to the governors, and a meeting took place in consequence; in which they stated that they had met for the purpose of inquiring into my conduct, in consequence of an application from the bishop. The meeting was opened by Mr. Armitstead.

Who attended the meeting?—Mr. Armitstead, Mr. Fleming, and Mr. Senhouse; I believe those were all. Mr. Younger was present, the deputy receiver; Mr. Armitstead opened the meeting, by stating, that I had absented myself from the school during the year, to the amount of at least 80 days; I conceived that he meant single days, and I expressed my surprise at the statement, and I begged that he would allow me to take an account of what minutes he had made, for they observed that they had been very watchful as to the number of holidays kept; but my request was not granted; and upon further urging an explanation of the statement, it appeared that more than 80 days had always been granted by the schoolmaster in holidays, in the recollection of every person acquainted with the school; and that they had no particular statement of extra holidays to bring forward in support of the charge, except that I had absented myself, as they said, for five days, upon a visit to Allanby, which I said was not correct; and I observed, that I had only left the school after school hours on the Saturday, and returned on Tuesday morning; and that was after not having given a single holiday to the boys for ten weeks. They then charged me with being absent on another occasion, on a visit to Penrith, which I explained, by stating that I had reserved a holiday for some time for that purpose. They then allowed that there was nothing particularly blameable as to my being absent on those occasions; but that report had said a great deal of my having absented myself from the school; and it was agreed, that I should not leave St. Bees for more than a day, without asking their leave; and here I supposed the business had been closed, but a minute was drawn up without any further observation, stating that they had found it necessary to reprimand me for neglect of duty. That minute was sent to the bishop, and upon this was grounded the bishop's refusal.

Did this take place before or after the visit of Mr. Armitstead, to Mr. Younger, to get the lease out of the chest?—It was after.

About what time did this meeting take place?—It was in 1815.

It was after Bishop Law's first refusal to licence?—It was called in consequence of the bishop's application at the time of the refusal.

State again the order of your applications for a licence?—When I first applied, the bishop promised that he would grant me a licence upon sending the testimonials; but when the testimonials were sent, together with a certificate of my nomination, he declined, stating, that the governors were not satisfied with my conduct; that he understood they were not; and he made application to know, whether that was the case; and upon that application the meeting already mentioned was called; and some time after that a friend of mine interceded with the bishop and the bishop consented to grant me the licence, and as the certificate of my nomination had never been returned, I concluded it would be accepted. The bishop, however, then stated, that the nomination must be given in upon a stamp; and the provost of Queen's College, in whom the nomination rests, conceived that he could not nominate me afresh, as the time allowed for that nomination had elapsed. On one occasion, the bishop had consented to accept of a certificate from the provost, that I was nominated regularly at the time required by the statutes; but afterwards

he expressed himself dissatisfied with such certificate ; and on account of that difficulty I was not able to procure a licence.

How long did you continue to officiate as schoolmaster from the last refusal of the bishop ?—I do not exactly recollect the dates of my applications.

You can ascertain these dates ?—I could ascertain them, if I were in possession of my papers.

Was it one year or two years ?—Between one and two ; about a year and a half.

And then you resigned of your own accord ?—Yes.

Was the provost of Queen's College ever present, at any meeting of the governors, in your time ?—No.

How old is the provost of Queen's College ?—About 80.

You read the lease of the coal mines granted to Sir James Lowther in 1742 ?—Yes.

Can you state the particular names of the manors mentioned in that lease ?—I do not know whether it included the whole under the name of the manor of St. Bees, or with the manor of Sandwath ; I do not know how it was expressed.

You are sure it was not described by any other name ?—Yes.

Have you ever known any courts held for the manor of St. Bees and Sandwath ?—No.

Have you never known any courts held for the manor of St. Bees by the agents of Lord Lonsdale, and as acting for him ?—I have known no courts held but those in the names of the governors of the school-house.

And were these courts held as lords of the manor of St. Bees ?—I conceive so.

Did you ever see the style and title of the manor ; because the whole of the town of Whitehaven is in the manor of St. Bees, and a great deal farther ?—I never saw any written document of the style and title of the manor.

But you say you saw that lease, and you are sure that the manor of Sandwath and St. Bees so described by the specific title of the manor of St. Bees ?—I cannot say exactly the words made use of in the lease, but I am certain it was a lease of the coals, granted by the governors of the time, to Sir James Lowther.

But the coals of what ?—Of the manor belonging to the school.

But you said it was the manor of St. Bees ; that is impossible ; the Committee wish you to recollect yourself ; you have seen the lease, and read it ?—I only read it once.

You know that there is a manor of St. Bees, and that it extends over the whole country round ?—I do not know the real extent of it.

The town of Whitehaven is in the manor ?—I am not aware of that.

Did you ever hear of any perambulation of the manor belonging to, or supposed to belong to, the school of St. Bees ?—I never heard of any perambulation ; a survey was made at the time the common of St. Bees was divided ; and the school at that time received, as I understood, as lords of the manor, a certain number of acres.

As lords of the manor of St. Bees ?—Yes, as I understood.

Have you had any information, that you could at all rely upon, that any coals have ever been worked from any manor or any lands belonging to this school of St. Bees, or to the trustees of the school ?—It is commonly reported, that the works of the coal mines proceed as far under ground as to one estate called Byersteads, which formerly belonged to Mr. Younger, and is a part of what are generally called school lands.

And the works extend under that ?—Yes ; it is so reported.

It was called school lands ?—Yes.

How far is that from Sandwath-lane?—I should find it difficult to state the exact distance.

Perhaps you can state it generally; is it a quarter of a mile?—I should think it a quarter of a mile at least.

As you are stating rumours and reports, did you never hear it stated, by the general understanding of the country, that it was almost impossible to ascertain the boundary of any manor belonging to the school of St. Bees?—I have understood that Mr. Younger stated, in a letter to the provost, that the boundaries of the manor were so well known, that not a foot of land could be lost; there is one letter from the provost to me, which contains an expression of that kind.

How near are the stone and alabaster quarries to Sandwath-lane?—They are a considerable distance from Sandwath-lane.

How near are they to the abbey of St. Bees, the school, or whatever you call it?—I never was at the quarry itself, but I should think, about three miles.

In what direction?—They are on the heads next the sea; St. Bees Heads.

And how many miles from Whitehaven?—I should think, about two miles.

Has any improvement been made to the school-house and school-room since 1811?—No, not much since 1811; but very considerable improvements were made before that time.

You mentioned 70 tenements which extended near Sandwath-lane; do you know whether there is any coal, in point of fact, worked under any of those tenements which are let upon land leases?—It is said that the coal works go as far as Byersteads. In a letter from Mr. P. Hodson to the provost of Queen's, mention is made of an intention, on the part of Lord Lonsdale, to sink a pit within the school lands, and that the tenants were disposed to dispute the right. The letter is among the papers sent by the provost to the Committee.

Is Byersteads within those tenements; is it one of those seventy tenements?—I think it is.

State what improvements have been made, with respect to buildings, at St. Bees school?—Very considerable improvements, and considerable alterations.

To what amount of expense do you suppose?—It is said, between 700*l.* and 800*l.*

Do you know who paid that?—I have understood that Lord Lonsdale did.

Have there not been other improvements made since you left the school?—I do not know of any.

Do you know whether Lord Lonsdale is in possession of any of those seventy tenements?—I do not know that he is; I never understood that he is.

Did you never hear of the manor of Kirkby Beacock?—The village is called St. Bees, or Kirkby Beacock.

Did you never hear of the manor of Kirkby Beacock?—Never, as a distinct manor from that of St. Bees.

Are you aware, that in the old leases of the seventy tenements, the coals are reserved?—All minerals and coals are mentioned as reserved.

You have seen one of the leases?—Yes, of Sea Cote.

May 23.

The Reverend *William Wilson*, again called in; and Examined.

HAD you a copy of the statutes delivered to you soon after you were appointed master of St. Bees school?—Not immediately; I borrowed one of Mr. Armitstead.

You have had a copy in your possession?—Yes.

You know the particular rules respecting the master?—Yes.

Are not they very exact with respect to residence?—Yes, the number of days is specified.

Did you strictly observe those rules?—They never had been observed for a length of time; the statutes only allow twelve days at Midsummer, and twelve at Christmas, and twelve at Easter; it had always been usual for the school to have five weeks at Midsummer, and five at Christmas, and one at Easter; those were the holidays which had been regularly given.

You did not observe those rules with respect to residence?—No, I did not know that it was required of me; and in dismissing the scholars at the vacations, I merely observed, “You will return at the usual time.”

Did not the statutes require it?—Yes, but it never had been attended to in the recollection of any person; nor did the governors ever think proper to notice the length of the holidays, till they found it necessary to make out a charge against me. The statutes also require, that the schoolmaster should be admonished, not reprimanded, in the first instance; and in this view only it ought to have been represented to the bishop.

Had not the school, previous to your succeeding to it, been very much neglected?—It was said so, I was not acquainted with the school myself.

Who was your predecessor?—Mr. Barnes.

You found it had been very much neglected?—It was in a low state.

What was the number of boys when you entered?—I think about 50; but some of these had entered after my appointment.

How many were there when you left it?—I believe about the same number; I am not certain.

During the time you held the school, there were more, were they not?—Yes, there were eighty; but a report was raised, I do not know by whom, that the school was very much diminished, at the very time that the number was the greatest.

Was that diminution from 80 to 50 owing to any inattention to your duty?—No, I believe not; but I consider it as owing, in some measure, to the terms on which I stood with the governors, and chiefly to the establishment of a clerical institution at St. Bees, by Lord Lonsdale, under the sanction of the bishop.

Did not the governors, upon the death of Mr. Barnes, exert themselves to restore the credit of the school?—I do not know that any particular means were used; that rested with myself, I conceive.

From the time of your succeeding to the school, had the governors regular annual meetings?—Yes.

Do you know whether such regular meetings were previously held?—I believe they were. I have understood that some alteration was made with respect to the annual meetings, which implies that they were regular before.

Were you ever admonished by the governors for any neglect, or any supposed neglect of duty?—Yes, I related an instance in yesterday's examination, of a meeting being called, as it appeared, for that purpose; the charge brought against me was, that I had absented myself from the school.

Was there any other instance?—No; it was allowed that I had sufficiently attended to the progress of the boys in the school; that they had no fault to find with that.

When you first went to the school, did you ascertain what holidays had been allowed by your predecessor?—Yes.

Did you allow the same, and no more?—Yes; and I expressly observed, when I came, that the holidays were to be the same as usual.

Did you apply to Mr. Scott, of Egremont, for testimonials?—I did not, because he had not been resident a sufficient time to allow of his signature to be given.

Did you apply to Mr. Armitstead?—I did; he declined it on the grounds I stated yesterday.

Did you apply to any other?—To Mr. Harrison.

Upon what ground did he decline?—He stated, that he and I did not exactly agree in doctrine; that though he could willingly sign my testimonials as to conduct, he did not know that we agreed as to doctrine; that he had rather not sign; but, if absolutely necessary, he would not refuse. Those were the only two that I applied to besides the four who did sign.

Do you consider Mr. Scott as at all connected with Lord Lonsdale?—I do not know that there is any necessary connection.

Did you see the lease granted in 1742 to Sir James Lowther?—Yes.

When, and on what occasion?—On the occasion stated in yesterday's examination.

Can you recollect the name of the manor, as described in that lease?—I cannot, nor whether any manor was stated.

Did you ever hear that it was called the manor of Kirkby Beacock?—No, I never heard of such a manor as the manor of Kirkby Beacock. I have seen a paper written by Mr. Younger, which he calls an abstract of the grant of the manor of St. Bees, Sandwath, Sheepgate, &c.

Where did you see that paper?—It was given to me by the widow of the late master.

Where is that copy now?—I believe at St. Bees, at the school-house; I left it there.

Did you ever introduce Mr. Bates to Lord Lonsdale, and on what occasion?—At Mr. Bates' request, to solicit his patronage for the bible society.

Had you an interview with Lord Lonsdale, in the presence of Mr. Bates?—Yes.

Have you ever expressed yourself satisfied or dissatisfied with that interview?—I cannot at present recal to my mind what I may have said about it; all that passed between me and Lord Lonsdale on that occasion was, when he taxed the friends of the bible society with being jacobins, I begged leave to state, that I supported the society as a sincere friend to church and state.

Did not you, soon after leaving his presence, state, that you were satisfied with what had passed on that occasion?—I do not recollect any thing of the kind.

Did you ever express any dissatisfaction at the result of the interview?—If I am called to state what I have said, I cannot recollect the words I may have made use of.

Do you recollect that you have expressed any dissatisfaction?—Yes, I

may have said, though I certainly have not spoken in public, that his Lordship did not behave with his usual politeness, and that he did not speak of the Dean of Carlisle and the Bishop of Durham in very respectful terms. I have never spoken upon these subjects in public, nor do I wish to go further into the particulars than is necessary.

Have you had any correspondence or conversation with the bishop of Chester, on these subjects?—I think not particularly about the bible society.

Do any of his Lordship's letters refer to that subject?—I believe not to the bible society.

Has the bishop ever expressed any dissatisfaction with your conduct, as a clergyman?—Yes.

Might not that be partly the cause of the bishop's refusing his licence?—His refusing me the licence, was certainly owing to representations that were made to him, and I do not take upon me to state by whom, but I certainly consider the interference of the governors, as the hindrance to my obtaining a licence. As there was some confusion, as to the order of my correspondence with the bishop, on the subject of my licence, I should wish to explain, that I did not come yesterday with the expectation that I should have to bring forward those circumstances, and had not at all prepared myself to speak upon the subjects that were put to me; it was the latter part of the year 1813, or early in 1814,* that I first applied to the bishop for a licence, which the bishop unconditionally promised to give me, as soon as the proper papers were sent; some discussion, in the mean time, took place, with respect to my nomination to the school, which had been made out; and the bishop required it to be made out afresh, which the provost of Queen's conceived he was not authorized to do, as he had already given the nomination, and the grant of the licence was in consequence delayed, till a disclosure was made of my desire of investigating the rights of the school.

How did this disclosure take place?—It was then in contemplation to bring the matter before the Court of Chancery, and I was requested to procure the promise of some gentleman's signature to the petition, as soon as possible; I applied, for this purpose, to Mr. Irton, of Irton Hall, stating, that I was come upon some very particular business, if he would allow me to speak confidentially to him; he took me into his study, and I opened to him the nature of our plans, with respect to bringing the matter before Chancery; he seemed very much interested in the business, and at first, promised me his signature, but a little after, requested I would allow him a few days to consider of it, and he would give me a decisive answer; in the course of conversation, he stated, that he meant to call on Mr. Younger the day following; that he wished to see his papers, and to examine them, whether the land which he held in St. Bees, was school land, and likely to be affected by this inquiry. I said, that I believed that it was not school land, and if it were, the first object of a suit in Chancery would be, to inquire with respect to the validity of the lease granted to the Lonsdale family, in the year 1742; upon his stating that he intended to call upon Mr. Younger, I requested of him, that he would not allow any thing to pass which might lead Mr. Younger to suppose what his object was, and that he would still recollect, that the matter had been laid before him in confidence; he assented to this, and we separated; but the next day, he revealed the whole to Mr. Younger that I had related to him, and all my plans, and this was the way by which

* (The dates of his lordship's letters to me are 13 December 1812, 31 March 1814, 7 March, 23 April, 2 and 11 May, and 1 June 1815, 9 March, 23 August, and 5 September 1816.)

it was brought to the ears of the governors, that I had intended the bringing the matter before the Court of Chancery; this took place a short time previous to Easter 1814, at which time, it was before stated, that Mr. Armitstead and Mr. Younger came to examine the chest, and attempted to take away the lease; about Midsummer, in the same year, I had an interview with the bishop, with respect to my licence; his lordship then agreed to grant me a licence, upon my producing a stamp certificate of having been nominated by the provost of Queen's, and sending him letters testimonial; a good deal of conversation took place, at that time, with respect to the bishop's dissatisfaction with my conduct, which seemed to rest upon reports which were brought to him, as I considered, at the time, unfounded; it had been stated, that I was in the habit of going about the country preaching in other people's churches, to which, the only reply that I could make, and all that was necessary to make, was, that I was in the habit of preaching for my friends, when from home, during vacations; an examination of the churchwardens by the bishop took place; at the same time, the bishop was informed, that the churchwardens had expressed a desire to come before him, to state what they were dissatisfied with in me as their minister; it was at my own request the churchwardens were brought forward, as I was assured by them afterwards, they had never made such request, nor communicated any such intention to any person whatever; the bishop would not give up the authority, or inform me who was the person that had told him the churchwardens had desired to attend upon his lordship.

Was there any thing else the bishop alleged against you?—He did allege against me, that I read the prayers in distant parts of the parish; what I had done in this respect, was under his own sanction; he had given me liberty, when I first went to the parish, to read prayers and a sermon to any family or families that I thought proper; I had certainly in this respect, made use of his liberty, in doing it during the afternoon's service, which I did not know, at that time, was required of me, I considered my having done it before as voluntary; and as my health would not allow of my exerting myself in the church, I had, during that time, employed myself in reading to private families, at a distance from the church, for a few months in the year, while I was in a state of ill health.

Did the bishop ever find fault with any of your principles, or that you were not perfectly orthodox?—He frequently put the question to me, whether I was a Calvinist, to which I answered, "that I subscribed the articles, that I acknowledged no other standard of doctrine; and I was not conscious of going beyond that standard in my preaching;" he said that he understood I was a Calvinist, and asked if I was in the habit of preaching what was generally called Calvinism. I said, "that I was not aware that such a specific construction ought to be put upon my preaching."

Did the bishop allege any other objection?—He asked whether I preached extempore or not; I told him that I preached from notes, having so many duties to attend to in the school; I was in the habit of preparing my sermons without writing them at length, which I could not find time to do. He expressed himself perfectly satisfied.

Were you ever in the habit of reading prayers, and preaching to open congregations in the school-house, or any other part of the school property?—I have read the prayers in the school during the winter evenings, and explained a chapter in the Bible.

Was the bishop aware of this; and did he make any comments upon it?—No; I never heard him speak of that particular.

You stated in your examination yesterday, that your salary was reduced from 70*l.* to 50*l.*; can you state what was the occasion of that; was it

from a reduction or a failure of rents?—No, it was stated in the minute entered in the register's book on that occasion, that it was in consequence of the expense that the receiver had been at, in inclosing the common; but I was given to understand some time before, by Mr. Armitstead, that Lord Lonsdale himself had promised to advance the money on the credit of the school, and to take it back by instalments; and that it was on the ground of this promise, that the receiver was at the expense of inclosing the common himself, which the trustees might have let before it was inclosed, and the tenant would have taken the burthen of it on himself, and thus no diminution would have been necessary in my salary.

During your correspondence with the bishop, which you mentioned yesterday, on the subject of granting you a licence as schoolmaster, did the bishop make any objection to you as a clergyman?—Not on my first application for a license.

Did he afterwards make any objection to you as a clergyman?—Yes; when the testimonials were sent to him according to his request, he then objected, not only that the governors were dissatisfied with my conduct, as stated in yesterday's examination, but also, that he had been given to understand, that I collected a congregation at Allonby in a private house, and preached to them; the truth of which was, that I had merely been engaged in a religious exercise in a private party; in consequence of his understanding that dissatisfaction existed in the minds of the governors, he requested them to call a meeting, which they did, and the charges were brought forward, as was explained in yesterday's examination; it was in consequence of that meeting, that the bishop finally declined granting me the licence, as he had been informed by the governors, as his lordship expressed it, that they had found it necessary to reprimand me for neglect of duty, with respect to which I think it right to observe, that no neglect of duty was made out; and that the occasion of the charges, independent of the length of the vacation, had taken place at least half a year before, in which a general meeting had intervened, and at which the alleged neglect might have been noticed, had they then considered it as such. Some time subsequent to this, in the year 1815, a particular friend undertook to intercede with the bishop, to grant me the licence, which he consented to do, if the governors were then satisfied with my conduct; by communication with them, he learnt that they had been so subsequent to that meeting on which he promised to grant the licence, which I expected he would have done, on the ground of that certificate which he had before admitted in the place of the nomination; but nevertheless, the bishop still objected to grant the licence till a nomination was produced on a stamp, and in the discussion of this difficulty, the matter rested till I resigned the school.

Have you a clerical cure at present?—Not at present.

Have you had one since you resigned the school?—No, I have only officiated in Lord Galway's chapel.

When you left the diocese of the Bishop of Chester, to go into the family of Lord Galway, in the diocese of the Archbishop of York, did the Bishop of Chester countersign your testimonials?—Yes.

Have you been in the habit of doing duty in churches and chapels in the establishment, since you left St. Bees?—Yes, I have assisted my friends in their churches, at various places where I have been.

Have you had access to all the papers and records belonging to the school at St. Bees?—Only when the chest was opened, in the presence of the governors.

Were you, upon those occasions, allowed to examine and take extracts from them?—I did on one occasion examine the register book, in order

to ascertain whether Sir James Lowther was governor at the time the lease was granted to him, and whether he continued to act as governor, by his signature to the minutes entered in that book, which I found to be the case, but I took no extracts.

Have you, or any person on your behalf, ever taken any steps, by any proceeding or advising with counsel respecting the lease of 1742, or any other part of the school property?—I have had the opinions of counsel upon the subject.

In consequence of those opinions, have you taken any legal or equitable proceedings towards setting aside that lease?—No; the opinions of counsel, referred to above, were sent to Lord Lonsdale, at the time of Mr. Irton disclosing the business.

Was the tenor of those opinions adverse to the validity of the lease, or in favour of its validity?—Against its validity.

Was any thing further done by you upon the subject of the lease, in the way of taking legal opinions, after you had communicated the opinions you have referred to to Lord Lonsdale?—I think there was one opinion taken after that.

Was that sent to Lord Lonsdale?—No, I believe not.

Was that of a similar tenor with the former opinions?—It did not appear to me so satisfactory as the former; it was certainly against the validity of the lease.

To whom does the Seacote estate now belong?—To Mr. James Hayne.

How long ago is it since he purchased it?—I cannot specify particularly, but some time before I went to St. Bees.

How far is that from Whitehaven?—It is about five miles.

How near to St. Bees school?—Within a mile of the school.

Do you know, or did you ever hear, that previous to the sale of that property, borings were made in different parts, to try whether there was any coal under it?—No, I never heard of that.

Have you ever heard, that the reasons given for Sir James Lowther taking the lease of 1742, were more for the purpose of benefiting the school property than himself, on account of the doubt whether there was any such manor or manorial rights as Kirkby Beacock, and if there even was, whether there was any coal within that manor?—I have not heard of any such representation. I think it right to state, that there appears to be an informality in the election of the governors, according to the statutes, particularly in the election of Mr. Armitstead and Mr. Fleming, which I suspect extends to most, if not to all the rest. I believe the provost was never informed of it; no previous notice was given to him of the election; I believe that to be required by the statutes. I wish to observe, that on the occasion of my salary being diminished, I was given to understand, that Dr. Satterthwaite had made use of this expression on his return to Whitehaven; "We have now clipt his wings;" and I think that I may be allowed also to state, that I never received any recompence for the last year's education of Dr. Satterthwaite's nephew, though I have more than once made application for it.

May 25.

The Rev. *William Wilson*, again called in; and Examined.

HAVE you any circumstances which you wish to add to your former evidence?—Yes; I forgot to mention a circumstance with regard to an estate near Croydon, in Surrey, called Palmer's Fields, which was purchased by the executors of Archbishop Grindall, about the year 1600, as a part of the foundation of the school; it was afterwards leased to two of the servants of a Mr. Scott, one of the executors of Archbishop Grindall, for 99 years, and in reversion to Pembroke College, Cambridge, for 999 years. This information I procured from papers in the bursary of Queen's. The estate consists of 70 acres; it was leased at a rent of 20*l.* per annum. The governors know nothing of this estate at present; but it appears to have been leased to the college in lieu of 20*l.* a year which is due to the college by the statutes of the school.

To Pembroke College?—Yes.

You said it was leased by the executors for 99 years to two individuals, and in reversion to Pembroke College for 999 years; were those executors governors of St. Bees school?—I am not certain whether one of them was not a governor.

Then the governors of St. Bees school have had nothing to do with that estate?—No, never, as it appears from the papers.

How then does this estate stand in the place of 20*l.* a year, payable by the governors of the school to Pembroke College?—The statutes require, that 20*l.* a year should be paid to Pembroke College; but it never has been paid, according to any accounts possessed by the school, which I have seen; and it is not claimed, so that it is supposed that this estate stands in lieu of that 20*l.*

Is there any other circumstance which you wish to mention?—I wish to observe, with respect to the lease of the collieries to Sir James Lowther; when I saw it taken out of the chest, I observed an erasure in the lease, where the term of years had been originally placed, and the term of 867 years was inserted, as it appeared to me, in fresh ink; and it appeared to have been very difficult to include it in that space which was originally allotted to the term of years in the lease. At the same time I should state, that on the indorsement of it the term of 867 years appeared to be written in old ink.

In an indorsement for some consideration received for the lease?—It was an indorsement on the back of the lease, stating what it was.

Did you look at the witnessing of the lease, to see if that erasure was noticed?—I did not see any notice of it on any other part of the lease.

Is there any other circumstance which you wish to mention?—I have understood, from the widow of the late master, that on one occasion a meeting of the governors was called, when he (Mr. Barnes) was requested to leave the room; he did so; and, after the meeting, was invited to dine at Whitehaven Castle.

About what time was this; can you give the Committee the date?—I am not certain of the time, having had it only from the information of the widow of the late master, and that in the evening this lease was produced; the governors having previously stated there was such lease, but they did not know whether it could be found or not; but they had searched the chest for it and discovered. Mr. Barnes, the late master,

observed the erasure at this time, and took notice of it, and mentioned it to some of his friends afterwards.

Did he mention it at the time to the persons assembled at Whitehaven Castle?—I do not know that he did; but he mentioned it to Mrs. Barnes when he returned home.

Is Whitehaven Castle the residence of the Lowther family?—Yes.

Is there any other circumstance you would wish to mention to the Committee?—No, I do not know that there is.

Are the two pits sunk in the neighbourhood of the 70 tenements near each other?—Yes.

How far asunder?—Not a quarter of a mile.

In what direction?—In the same line, or nearly, with the boundaries.

Then do you take the two pits to be equally distant from the boundaries?—Yes, I think so.

Have you any, and what reason to believe, that they work those pits under the manor?—It is generally spoken of by the inhabitants of that part. If you ask the farmers, they will say, that they conceive that the workings of the coal proceed to such a distance.

What place do you allude to?—To Byersteads, which is one of the tenements of school land.

How far is that within the boundaries?—A considerable way; I should think above a quarter of a mile.

Are they known to work in other directions from these pits?—I believe so.

Did you ever know of any observation having been made to the governors, respecting the grant of this long term of years, before you made your own inquiries?—No, it was scarcely known that there was such a lease.

How long have the present governors known of the existence of this long lease?—They were certain of its existence at the time that Mr. Barnes was schoolmaster, when the chest was searched.

What reason have you to know, that from that period they were aware of the existence of that lease?—Mr. Younger immediately recognized it, at the time that Mr. Armitstead and he searched the chest, in a way that showed he had seen it and knew of it before.

Do you consider that they were aware of it from that time?—I should think so.

What are the grounds of your belief, that they knew of the existence of the lease from that time?—I never heard any observation made by them respecting it.

Then what other ground have you for believing that they knew of it?—No other reason but that it was produced at that meeting of the governors, and in consequence of what the widow of the late master had said. I took an opportunity, when the chest was opened, to see if I could find it; I think it was in the year 1813; I did find it, but I did not examine it particularly at that time.

Since that period, did you ever hear of any of the governors who had said, that they knew of the existence of it?—No, not till the time that they knew what inquiries I had made respecting it.

What is the earliest time, that you are certain, of your own knowledge, that they knew of the existence of that lease?—Early in 1814.

Have they ever taken any steps, since that time, to have that lease set aside by a court of equity?—No, they did not; they understood that I meant to do so, and Mr. Armitstead observed, in the name of Lord Lonsdale, that he would allow the law to take its course; when it was first brought forward, Mr. Armitstead said, that he had no doubt that Lord Lonsdale would generously give up the lease, if he understood that

it was for the good of the school; but afterwards, when they had seen Lord Lonsdale, the message from him was, that he would allow the law to take its course.

Did the governors assign any reason for not proceeding according to their duty, to set this lease aside, when they knew the same existed?—They made observation, that it was worth little or nothing to any body else, though worth much to Lord Lonsdale; it was worth little to any body else, because they could not so easily work the coals.

Did they not consider, that because it was worth more to him than to any body else, that he ought to pay a higher price than any body else?—They said, that they thought he would do so, before any interview took place; but afterwards, they observed, that he had nothing to do with the lease, excepting in receiving, as it came into his possession.

You have said, that the trustees observed, that no one could work the coal but Lord Lonsdale?—No one so easily; one reason given was, that it would not be, perhaps, so easy to ship them at the port of Whitehaven, or to procure a railway for the conveyance of them.

May 23.

The Reverend *James Satterthwaite*, D.D. called in; and Examined.

ARE you rector of Lowther, in Westmorland?—I am.

Have you made a return to the circular of this Committee?—I have.

State to the Committee what you know respecting a school in your parish, which is mentioned as endowed in the will of Viscount Lonsdale in 1700?—I was not aware that there had been any such will till within the last fortnight, when information to that effect appeared in the county newspaper; in consequence of that intimation, having already made out my answer to give to this Committee, I withheld my hand to make further inquiries; in consequence of which I was informed by common report, that there had been a school at Lowther early in the last century, but of its origin, or why it was discontinued, or when it was discontinued, I have been able to obtain no information whatever; I have further heard, that several scholars, gentlemen from Scotland and gentlemen from Yorkshire, were educated at it; so that there certainly was a school.

Since you have known that part of the country, there has been none?—No, there has been none; that there was a school, seems to be known only by tradition; I can find no one who remembers the school in existence.

Or when they had died out, could you learn any thing about the trustees?—I never could make it out that there had been any trustees, or that they had died out, or how it had ceased; I saw, in a provincial newspaper, an extract of a will; I was in bad health at that time, and I sent to my curate, who teaches the village school, and is much in communication with the parishioners, and requested him to make inquiries, (the Reverend J. Holmes;) he did; and he reported to me, that he could get no information respecting such a testamentary endowment. There is a large building in the new town of Lowther, still known by the name of the College, but I could not trace the origin of its name; it is not an ancient looking building; it is a building, from its appearance, that might very well refer to the time stated.

Do you happen to know in whose possession the estates in Yorkshire are, which appear to have been charged with the support of the school?—The name mentioned in the newspaper extract from the will is Dambrook, and I have understood it was bought by, and is now in possession of Lord Ribblesdale.

Do you happen to know at what period Lord Ribblesdale purchased the Dambrook estate?—I cannot speak with precision; certainly after the year 1802; and I should say, perhaps, about 1806 or 1808.

Do you happen to know in whose hands the tithes of Haile and of Brisco are?—I do not know any thing about Brisco; I believe the tithes of Haile were by act of parliament exonerated a few years ago by an exchange for lands upon the common, upon the inclosure.

Do you know in whose hands the land given in lieu of the tithe is?—Lord Lonsdale's.

Is it an inappropriate rectory?—I believe it is, but I am not quite certain; it is in fact a perpetual curacy as to the ministerial duties.

What may the value of the tithe, or the land now given in lieu, amount to?—I have not the least knowledge.

Do you know any thing of the tithe of Brisco?—I do not.

You are a trustee of the St. Bees school?—A governor or warden.

How long have you been a governor?—Ten or eleven years, I should think.

Have you attended many of the meetings of the governors?—Very often; generally.

In what way are the accounts of that school audited?—They are audited once a year, at a meeting very soon after Easter; the accounts are regularly kept in a book, debtor and creditor, and signed by the governors present.

Who is the receiver?—The present receiver is the Rev. Mr. Armitstead.

Who succeeded Mr. Younger as deputy receiver?—Mr. Peter Hodgson, a solicitor, at Whitehaven.

Can you give the Committee any guess of the annual revenue of the school?—Not with any great precision; it arises partly from the letting of an alabaster quarry; the rent of that has varied considerably, it has let as high as 98*l.* a year, and I think latterly has been let for 60*l.*; it rose from 8*l.* to 10*l.* a year, to about 16*l.* a year, when there was a great demand for alabaster at Liverpool, and the quarry was let for 98*l.* a year or thereabouts; the revenue amounts to about 130*l.* or 140*l.* a year in all. I may be somewhat incorrect as to the exact sums, as I speak only from general recollection.

Have you had occasion to be present when any leases were granted by the governors?—Never, that I remember.

Have any been granted in your time?—Not that I am aware of; I have not signed any.

Are all the lands of the school let on long leases at present?—I am not aware that there is any land belonging to it, except a field and garths adjoining it, and the allotment lately made.

What has been done with that allotment?—It has been improved, subdivided, let, and the proceeds carried to account.

Upon what length of lease has it been let?—Perhaps three or seven years; it is not a long lease; it was only let for the purpose of getting it into cultivation; it was let at public sale, if I recollect aright.

Were not the 70 tenements in the reign of James the First, let on long leases?—There is a long lease I believe in the school chest, which was looked into some time ago, but I am not competent to speak to the leases to the tenants.

Are you acquainted with the lease granted in 1742, to Sir James Lowther?—I have seen it.

What is it a lease of?—I believe of the coal mines the manor may contain.

How is the manor described in that lease, as far as you recollect?—I think it is described by the name of Kirkby Beacock.

Do you understand Kirkby Beacock to be a different manor from St. Bees?—Certainly, I have always understood Kirkby Beacock to be a manor within a manor.

Are you aware of the bounds of the manor of Kirkby Beacock?—Not the least; I know no other particulars respecting the lease than those I have stated.

The Committee understand there are no shafts upon the pits sunk within the manor of Kirkby Beacock?—I do not know that there are.

Do you happen to know whether there are any coals worked within that manor from pits sunk out of the manor?—I believe not.

What are the nearest pits out of the manor?—I know Wilson pit is not far from it.

Do you happen to know how near that is?—I know precisely where that pit is situated, but I do not know the bounds of the manor.

Do you understand that all the workings from Wilson pit are carried in all other directions, but so as to avoid the side where Kirkby Beacock is?—No, I do not.

Have you any reason to believe, that a pit is sunk close by a particular seam of coal, and the working carried in all other directions, so as to avoid that seam of coal?—No, not the least; not unless there happened to have been old workings in that direction which would have exhausted it; but I have no mining knowledge whatever, and know nothing more than I have heard in conversation some time ago, when Mr. Wilson, the master of St. Bees, made inquiries respecting the coal property; I then inquired of Mr. Peele, Lord Lonsdale's coal steward, whether he knew that there were any workings by which they were procuring coal out of the manor of St. Bees; his answer to me was, that he believed they were not.

Do you happen to know, whether any coals were ever raised under the lease?—I do not.

Were you present at any meeting of the governors, when Mr. Wilson, the master, was present?—More than once, frequently, more especially at one special meeting I was present.

Did he claim to be entitled to be present at all meetings of the trustees?—I do not know whether he claimed to be present at all meetings, but he claimed to be present then of right.

Do you recollect what passed upon that occasion?—I can recollect perfectly, that it was thought by the governors that he had no right to be so; that they were met, as a deliberative body, to decide upon matters in which he was involved; and, from our interpretation of the statutes, we considered that he had no right, and insisted upon his absenting himself.

Are you acquainted with the statutes?—Yes, very generally.

Have the statutes been in the possession, or copies of them, of the governors and of the schoolmaster?—Lately they have, but they were not so when I was first made a governor; there was only one copy, and it was scarcely known where it was; there was then an order issued that there should be a copy put into the hands of every governor, and one sent to Queen's college, Oxford, and one to the bishop of Chester; there was a complete set of the statutes made out by order of the governors, and distributed, with an order that whenever a governor succeeded to

the office, the copy of the statutes held by his predecessor should pass over to him.

Do you know whether the schoolmaster had a copy of these statutes?—I am not quite certain whether he had or not; he spoke of them as familiar with them, but whether from a copy given to him, or shown to him, I cannot tell.

Were you ever present when the schoolmaster had a full inspection of all the muniments and documents belonging to the school?—I was.

You saw him inspect them?—I did.

And he was not refused by any governor?—By no means; the chest was open, and Mr. Wilson might search as much as he pleased.

And did?—He did; the books were open, and we were searching together; we were anxious to ascertain the grounds on which we understood some property might be recovered for the school; each person present searched; Mr. Wilson as much as any other person.

Do you know any thing about Wilson pit?—I know of repute that it is one of the oldest pits about Whitehaven; it has been worked these sixty or seventy years.

Is there any repute as to the coal under Kirkby Beacock manor ever having been worked out?—No, I have never heard any repute of that kind.

There is no repute as to Wilson pit having had collateral working into that manor?—No.

Is not Wilson pit one of the farthest working collieries from the harbour of Whitehaven?—I should suppose a good deal the farthest; there are one or two other pits near it, but it is one of those farthest removed.

Therefore the least profitable for working?—That I cannot tell; it will depend upon the produce.

[The following copy of the will of John Viscount Lonsdale was delivered in, and read:]

Extracted from the Registry of the Prerogative Court of Canterbury.

IN THE NAME OF GOD, AMEN. I, John Lord Lowther Viscount Lonsdale, in the county of Westmorland, being now, blessed be God for the same, in perfect health and sound memory, and well considering the uncertainty of human life, doth think fit, whilst it pleases God to spare me, so to dispose of the estate which God has given me, as may in my judgment consist with reason and my particular gratitude; and therefore do make this my last will and testament in manner and form following. And in the first place, &c. Also I give and devise to my executors hereinafter named, their heirs and assigns, the manor and lordship of Dambrook in the county of York, with the appurtenances, together with my capital messuage and tenement of and in Dambrook aforesaid, and all other my messuages, houses, lands, tenements and hereditaments of and in Dambrook aforesaid, with the appurtenances, (the mynes of leed, coale, and all other minerals royalties and franchises within the same, always excepted and reserved;) and also all that my rectory and parsonage of the parish of Hale, in the said county of Cumberland, together with the glebe lands there, and all manner of tythes or tenths, oblations, obventions, profits, advantages, emoluments and hereditaments whatsoever to the said rectory parsonage and glebe lands belonging, and all my proportion, part or share of the tythes, tenths and other profits yearly coming, growing, renewing and increasing within the territories, village or hamlet of Brisco, within the parish of Saint John,

in the said county of Cumberland, heretofore had and enjoyed together with the rectory of Hale aforesaid, in trust nevertheless to be a fund, or to employ and dispose the rents and profits thereof, for the maintenance and salary of the schoolmaster or schoolmasters of the free school, for which I have erected a house at Lowther aforesaid, and for the management of the same, and upon such trust and for such purpose to settle the aforesaid manor or lordship of Dambrook aforesaid, and the aforesaid rectory and parsonage, glebe lands, tythes and premises, with the appurtenances, upon trustees, in such manner, and under such laws statutes and constitutions, as to my said executors shall seem meet and expedient, or otherwise upon such other trusts, and for such other purposes, as my said executors shall think most conducing to the good of the county of Westmorland, and especially of the parish of Lowther aforesaid.

May 28.

Rev. James Satterthwaite, D. D. requested to be again called in; and Examined.

MR. WILSON, in his examination, on a former day, made the following observation, at the close of his evidence, "I would wish to observe, that on my salary being diminished, I was given to understand, that Doctor Satterthwaite had made use of this expression, on his return to Whitehaven, 'We have now clipt his wings,' (meaning Mr. Wilson;) and I think that I may be allowed also to state, that I never received any recompence for the last year's education of Dr. Satterthwaite's nephew, though I have more than once made application for it;' have you any observation to make upon this answer?—I have to request of the Committee, that they will permit me to see Mr. Wilson here, to confront him upon these allegations, which certainly convey a very unpleasant charge, and which may have a tendency to injure my reputation with the Committee, and with other gentlemen. With the permission of the Committee, I will state what I think of the business; it is this; I have not the slightest recollection of having made use of such an expression, and if I did, certainly it was not under any spirit of ill-will or taunt towards Mr. Wilson; about that time, Mr. Wilson was frequently absenting himself from the school, upon business not connected with it, according to reports which reached me; my nephew was under his tuition, and several persons who had children, pupils under him, complained of a supposed neglect; a common colloquial phrase in that county, is to say of a person who is frequently absenting himself from his home, that he is always flying about the country; it is not impossible, that I might have adopted that phrase, and in reference to keeping Mr. Wilson in the school, I might make use of some such expression, but I have no recollection whatever of it. With respect to the second allegation, I beg leave to state to the Committee, that there is a certain gratuitous recompence given to the master of St. Bees school, called a Cockpenny, which is always paid, I believe, at Shrovetide; the sum is ad libitum, according to the means and disposition of the persons giving it; my nephew was at the school three years; I paid by myself or my agent, three Cockpennies, as they are called, and I believe, to the full extent, as far as I can understand, of the most liberal remuneration

that was given to him. I have to remark, further, that Mr. Wilson, to my knowledge, has not made any application to me for that remuneration which he states to have been due, or applied for it. I have understood, that he applied to my sister, the mother of the young man, and the answer was, that as I had paid all the expences of this boy's education, from his infancy, that Mr. Wilson might apply directly to me: I believe I have seen Mr. Wilson since, and he has made no application.

He never made any application to you?—No, he never did.

May 30.

The Rev. *William Wilson*, again called in; and Examined.

Have you read Dr. Satterthwaite's evidence?—Yes.

Have you any observations to make upon it?—As to the first particular, the explanation given by Dr. Satterthwaite does not appear to agree with the occasion when the expression was used, which was immediately after the meeting when my salary was reduced, at which nothing was said about my absenting myself from home. With respect to the second particular, it may be necessary to observe, that the only remuneration which I received as head master of St. Bees school, besides a salary of 50*l.* to which it was reduced as before-mentioned, was a gratuity paid by each scholar at entrance, and the same yearly at Shrovetide, in many cases amounting only to a few shillings, and in very few exceeding two or three guineas. This gratuity was always considered as due in proportion to the time spent at school after Shrovetide before leaving it. Those who left at Christmas in general paid voluntarily the usual gratuity offered at Shrovetide. On this ground application was twice made to Dr. Satterthwaite's friends, first by letter, to which no answer was given, and afterwards by myself personally; to which the reply was, it would be mentioned to Dr. Satterthwaite, who undertook the expense of his nephew's education, and I should hear in a short time. From what passed on the occasion, I supposed the amount would have been settled, but I heard nothing more of it. I was never told to make application to Dr. Satterthwaite, and as the two former were not attended to, it was not my wish to have renewed so unpleasant a task. I conceived it necessary to mention these instances, for no other reason than to show the discouraging circumstances under which I must have retained the school, and that the Committee may judge for themselves, from the whole of the evidence before them, how far it is likely the credit and prosperity of the institution, independent of my own comfort, under much bodily indisposition, could be supported.

[*The following Letter was delivered in, and read.*]

SIR,

St. Bees, 15th June 1818.

On Thursday evening last, I had the honour of receiving your letter, and would have immediately complied with your request, had I not mislaid the papers of which you require copies. After a diligent search, I at last discovered them, and they are to the following effect:—

[*Copy of my Letter to the Earl of Lonsdale.*]

MY LORD,

The occasion on which I am compelled to address your Lordship will, I trust, plead my excuse for the great liberty I have taken.

On Saturday evening (23d May) I received from Mr. Brougham, on the subject of St. Bees school, two separate papers, a copy of which I have the honour of submitting to your Lordship's inspection.

[*Here I copied verbatim the Order of the Select Committee, as well as the letter which accompanied it.*]

Your Lordship from these transcripts will readily perceive the reason and the object of my present address. These orders of the Select Committee of the Honourable House of Commons compel me to apply unto your Lordship, as one of the three governors who possess keys to the chest where the documents relating to the school are deposited, to enable me to comply immediately with the requisition of the Committee.

By the same post I make application to Dr. Satterthwaite on the same subject; and have already seen Mr. Armitstead. I have also written to Mr. Brougham, explaining the cause of the delay which has now occurred, and expressing my readiness to obey the order of the House of Commons, as soon as the documents required are committed to my care.

Trusting that your Lordship will pardon the freedom now taken, which can only be justified by the urgency of the occasion, I beg leave to assure your Lordship, that I am, &c. &c.

[*His Lordship's Answer.*]

SIR,

28th May 1818.

The presence of three governors is necessary to open the chest where the documents relating to St. Bees school are kept. So the statutes direct. I can only speak for myself; but I am ready when required so to do, to attend myself, or to depute some other governor to attend for me to open the chest, and to deliver such papers as may be required, so far as we are, in conformity to our duty, authorized so to do, to such person as may be directed to receive them. I am, Sir, &c. &c.

Lonsdale.

The Rev. Thomas Bradley.

Dr. Satterthwaite and Mr. Armitstead have since expressed an equal willingness to deliver up the documents when required so to do.

I have only to add my mite of approbation to that which a discerning public will not fail to confer on you, for your noble exertions in the cause of public charities for the purposes of education; and the honour to subscribe myself, with the highest consideration,

Sir, your most obedient humble Servant,

Thomas Bradley.

To Henry Brougham, Esq.

POCKLINGTON SCHOOL.

May 30.

The Rev. *James Wood*, D. D. called in; and Examined.

You are master of St. John's College, Cambridge?—I am.

Is St. John's College visitors of Pocklington school in Yorkshire?—I can hardly answer that question; I will tell the Committee what I conceive to be the authority; it is said, if the master should happen to be in the neighbourhood of Pocklington, or should send any fellows of the college thither, they might go to the school, and examine the master, and see whether he is doing his duty or not, as master; if he is not, then the original power was to remove him, and the master of the gild or fraternity which was established at that time, was to look out for another; that I conceive is the whole visitatorial power of the master of St. John's.

Has St. John's College, in fact, exercised a visitatorial power?—In the course of the last summer, I believe; I do not exactly recollect the time; the master and seniors of the college desired these two gentlemen, now in the room, Mr. Calvert and Mr. Hornbuckle, to go down and examine into the state of the school.

Did they make a report of that state to the college?—They consequently did go in October last, and they made a report to the college.

Have you that report?—The gentlemen are now present, and we have the questions put to the master at that time, and to the parishioners relating to the school, and the answers given; they were fortunately put down in writing, and I will now state them to the Committee if they wish it.

Have you the report?—It is not a formal report; they gave us the questions and the answers received thereto.

Has, in your recollection, the visitatorial power ever been exercised by St. John's on any former occasion?—I do not know that it has; not to my knowledge.

You have only been a short time master of St. John's?—Only three years.

Before your mastership are you aware of that power being exercised?—I am not.

Had any information of abuses existed in the management of Pocklington school, ever reached St. John's before the last year?—No representation of that kind has ever been made to the college at all; no complaint was ever made to the college.

Had any hint or communication reached the college?—I have heard incidentally, by gentlemen employed on college business, that the school was not properly managed.

Had this been commonly talked of before this period in St. John's?—I do not recollect that it had; nothing had been said that suggested to me the necessity of a visitation.

Has St. John's any other property or house in the neighbourhood of Pocklington?—We have some property in that part of Yorkshire.

Have you agents?—We have a gentleman there who does manage our business, and occasionally surveys for us.

Have you always had some such person there?—I think not.

How many years?—I do not recollect.

Ten years?—I cannot say; I do not remember the circumstance of his being first employed, nor do I recollect how the property was managed there before his appointment.

Have you any other property, or connexions, or agents there?—I believe not.

Do any of the St. John's men come from that neighbourhood?—I do not recollect any.

Are any of the St. John's men in the habit of going there?—Not that I am aware of.

Have you any livings there?—One, not very far from it.

How far?—It is near Market Weighton.

Is not Market Weighton the post town of Pocklington?—No; Pocklington is a post town itself; our living is, I suppose, about twelve miles from Pocklington.

Have you any other livings there?—I think not; we have the living of Brandsburton, about twenty miles from Pocklington.

Are there any other Cambridge College livings in the neighbourhood?—That I do not know.

Is the appointment of the master in St. John's College?—Yes.

The appointment of the usher?—No; we have nothing to do with that.

Who appoints the usher?—I believe the master of the school, and the two churchwardens of Pocklington parish.

In whose gift is the living of Pocklington?—I do not know.

Not in St. John's College?—No.

Do not the master and usher of this school form a corporation of themselves?—They do.

Have you the deed of endowment? I have a copy of the act of parliament 5th Edward VI.

Have you any copy of the endowment of the school?—There was an original gild endowed.

A gild of what?—A fraternity or gild in the 6th Henry VIII. endowed by Dr. Dowman.

Is this the only deed of endowment you are aware of previous to the act of parliament?—There was an endowment of five scholarships previous to the act of parliament.

But no other general endowment of the corporation?—None whatever, that I know of; This is the licence to John Dowman, to endow a gild and grammar school in Pocklington, dated 6th Henry VIII.

[*It was delivered in and read.*]

Does not this endowment require the master to be “in scientia grammaticali sufficienter doctum ad instruend. & erudiend. omnes & singulos scolares ad villam de Poklyngton predict. causa erudiendi confluentes juxta ordinacões & statuta dñi Johis in hac parte fiend.?”—Yes, it does.

Is Pocklington a considerable place?—I hardly know what to say; it is not a very large town; I do not know the number of inhabitants.

Have you any conjecture?—No.

Are there a thousand inhabitants?—I cannot tell.

Does the parish extend beyond the town?—That I do not know.

What are the yearly revenues of the land belonging to this school?—As visitors from St. John's, we have nothing to do with the revenues; they are in the corporation entirely.

Independent of any concern with the revenues, have you any knowledge of what the amount is?—I cannot pretend to say exactly what the amount is.

Can you say near about?—I rather think the estates are in Chancery;

there is some Chancery suit going on ; and I do not know that the corporation are in possession of all the estates.

You mean some parts of their rights are disputed ?—I think they have been in Chancery ever since this master has been appointed.

As near as you can tell, without being accurate to a pound or two, what do you estimate the revenues at ?—They may now perhaps be 900*l.* a year.

Have they ever been greater ?—I do not know ; I have never particularly examined into them.

Does that include all the revenues of every kind ?—I should suppose so.

How many scholars are taught in this school ?—At present there are eight.

Has that number been diminished or increased latterly ?—Increased ; when the gentlemen now present, to whom I before alluded, first went to visit the school, there was only one.

How long ago was that ?—It was in October.

Was there ever none, as far as you know ?—Not that I know of.

When this school was visited, in what state was the school-room found to be ?—The school-room was dilapidated, certainly.

Was it used as a carpenter's shop and saw-pit ?—Not when I saw it ; I have just come from it.

The Reverend *Thomas Waldron Hornbuckle*, B.D. Fellow of St. John's College, Cambridge, and the Reverend *Thomas Calvert*, B.D. Fellow of St. John's College, Cambridge ; called in, and Examined.

WHEN did you go to visit Pocklington school ?—In the month of October last.

Is that the first visitation of the school, with which you are acquainted ?—It is.

In what state did you find the school when you went there ?—It was in a dilapidated state.

In what manner was it dilapidated ?—There are two rooms ; I am speaking particularly of the lower room ; the floor was up, and the windows broken.

Had it all the appearance of not being used as a school ?—Yes.

To what other use was it applied ?—That I cannot say ; things were lying about ; we understood it was going to be put into repair ; materials were collected indeed for repair.

Was any part of the school premises used as a saw-pit ?—I saw nothing of it.

Did you ever understand it had been so used ?—It was mentioned.

Did you find any scholars there ?—There was one boy, I think, at that time.

How was that boy occupied ?—He was in the master's house.

In what state was the room above ?—In a much better state than the room below ; not in a very good state, but in a habitable state.

What was the boy doing ?—I can hardly say what he was doing ; he was in the course of school studies ; we inquired what he had been doing ; he was not actually employed at that moment.

Were the two masters occupied diligently in teaching this boy ?—Not at the time we were there ; we were there but a short time, and there were a great many other people present, who came to inquire about the school.

Did the master and usher appear to be diligently employed in the instruction of this fortunate youth?—We had not opportunities of learning sufficiently what his course of education was.

Did you see, in point of fact, either the master or usher occupied in teaching him at all?—No, I did not hear him say his lessons.

Is the youth a relation of the master?—That I do not know.

Does the master live at Pocklington?—I believe so.

Does the usher?—Yes, the usher did at that time.

What was the name of the usher and master?—The master's name is Thomas Shield, and the usher's name is Brown. I believe he was curate of the parish.

Did you understand there had ever been more scholars at any former time than that one?—Yes, from the time of this master entering upon the school, we understood from him, I think, that there had been about thirteen or fourteen; we put the following questions to the master, and he gave the following answers.

[They were delivered in and read, as follows:]

“ 1. Have you the original charter in your possession, or what paper relating to the school?—The charter is in the possession of the master, and a deed of endowment of five scholarships, called Dowman's scholarships; the latter is now in the hands of Messrs. Marriott and Blamire, Gray's-Inn Square, solicitors of the master, in his suit in Chancery.

“ 2. Query; the number of scholars; are any entitled to free admission?—At present one; on the whole, sixteen since the residence of the present master, in 1809; at one time, about ten, previous to which time there were none for eleven years, and only three or four for twenty years. The master considers the school as free, i. e. as not confined to the parish of Pocklington.

“ 3. Have you made any objections to the admissions of any boys, claiming to be received as free boys; and on what were they founded?—The master never refused admission to any boy claiming education at the school.

“ 4. Have you a register of the admissions of the boys, and time of their leaving the school?—No register regularly kept.

“ 5. What holidays are there, and what vacations?—Saints' days are holidays; Tuesday and Saturday half holidays. Five or six weeks vacation at Christmas and Midsummer each.

“ 6. At what hour does school begin and close, and with what intermissions?—At eight o'clock a repetition lesson, at nine a writing.

“ 7. Are you present, or your usher, during the above time?—Master, for an hour; at ten the business of the school again begins, and is continued till twelve; during which time the master or usher attends to the business of the school. This took place whilst any number of boys attended; at twelve a writing master till one; from three to five in the school.

“ 8. Query; the system of teaching?—The Eton grammars and plan of education.

“ 9. Are the boys examined, and classed according to their merits?—This plan would be adopted were the number sufficient.

“ 10. Who keeps the school in repair?—The master and usher keep the school in repair.

“ 11. Are the school revenues at all under the management of the trustees?—The revenues exclusively under the management of the master and usher, as a corporation, with the exception of the master's house and two closes which belong exclusively to him.

" 12. Do you employ a competent usher?—The usher, the Rev, Thomas Brown, who had been accustomed to the business of instruction, I conceive to be perfectly competent, with the exception of an infirmity, that of deafness, under which he has lately laboured.

" T. Shield."

We have to add, that when we were there, we called the parishioners together, and the school-room was the place where they met, of course; the master could not at that time be employed in the school in teaching the young man.

What did you do at this time of the meeting of the parishioners?—We had prepared certain questions which we wished to ask.

Have you got them here?—We have; these are the questions and those are the answers, as far as they have any answers returned to them.

[They were delivered in and read, as follow:]

" Questions proposed to the Parishioners of Pocklington School.

" 1. Is the original charter or endowment in your possession?

" 2. Are any statutes or regulations for the government of the school?

" 3. Where are they usually lodged?

" 4. Has the master regularly taught school since his appointment, if not, to what has it been owing, and during what period has the school been neglected?

" 5. What number of scholars has he at present, and what number has he had; the greatest number since his appointment?

" 6. Are there any scholars peculiarly called free, i. e. who claim particular privileges?

" 7. Is a register of their admission and departure from the school regularly kept?

" 8. What number of hours is the school opened during the day; are the master and usher, or either, present during that time?

" 9. What holidays are usually allowed, daily; what vacations?

" 10. Under the existing circumstances of the school, are the parents desirous to send their children?

" 11. Does the master refuse to admit them, and if he does refuse, does he assign any reason for that refusal?

" 12. Is the general conduct of the master satisfactory towards those who are admitted; or what complaints have you to make?

" 13. What is the state of the school funds?

" 14. On whose recommendation was the usher elected; were his qualifications ascertained by previous examination or satisfactory testimonials.

" 15. Had he acquitted himself properly?

" 16. Do you know on what terms the usher is engaged?

October 27, 1817.

" To question 4th.—Mr. Kettlewell, who attended the school, states, that Mr. Shield did not attend the school regularly during the year and half he was a scholar. Frequently not there after breakfast, and no person deputed to attend for him; the number then at school, was about 8 or 10. The nominal hours were one hour before breakfast, from 10 to 12, and from 3 to 5.

" Mr. James Powell has a boy under Mr. Newby ; he would have sent him to this school had it been properly conducted. Mr. Richard Bell, 3 ; Mr. Loftus, 1 ; Mr. Linwood, 1 ; Mr. T. Scaife, 2 ; Mr. Bagley, 2 ; Mr. Hornby, 1 ; his brother Mr. H. was himself refused admission, as stated in the memorial. Some of the above parishioners have sent their sons to other grammar schools, for want of proper instruction here. It is the opinion of the inhabitants, that the town and neighbourhood would send a large number to the school, were it properly conducted.

" A question has been started, whether the school be opened as a free school to any other than the residents in the parish of Pocklington.

" 15. The usher is stated to have been subject to a great degree of deafness at the time of his appointment, and a strong objection was made to him on that ground by a great number of parishioners, including one of the churchwardens. On this point see a petition from the parishioners to the churchwardens.

" The letter here referred to was produced, and contains in substance what is here stated.

" No other complaint is made of Mr. Shield's severity, besides that of Mr. Hornby.

" Certified by Mr. Hugh Ibbetson, from information of his nephew and son. The Reverend Kingsman Basket, Charter House Hall, will give any information relative to the usher's salary, or any other matter respecting the school."

There were some questions also put to the usher, and the answers to them ; the questions were put to the different parties separately, not in the presence of each other.

[They were delivered in and read, as follow.]

Questions for the Usher.

- " 1. When were you appointed, and by whom ?
- " 2. What salary do you receive as usher ; to what are you entitled by the endowment ; has *this* been regularly paid ?
- " 3. During what portion of the day are you expected to attend the school ?
- " 4. What classes of boys do you attend to ?
- " 5. What grammars are used, and books read, and exercises performed, in your classes ?
- " 6. What hours do *you* attend in the school ; do you reside in Pocklington ?
- " 7. Have you the privilege of taking boarders in your house ?

Oct. 27, 1817.

Answer to the Queries proposed to the Usher.

" 1. The usher's appointment took place Oct. 28, 1811, by an election of the master and churchwardens.

" 2. The salary received amounts to one-third of the rents of the estate on a valuation of the land at that time, which was about 700*l.* a year. Mr. Brown took 200*l.* a year as a fair equivalent, free of all deductions. The salary has been regularly paid.

" 3. Times of attendance when any number of scholars are at school, were 8 o'clock (7 in summer) quarter past 10 and 3. The usher has the privilege of taking boarders, but his house is too small to accommodate them.

" Thos. Brown."

Did you learn any thing further respecting the management of this school?—The parishioners made their complaint, and we submitted questions to them; and the substance of the information we obtained is given in the answers.

Did you hear of other complaints, besides those adverted to?—No, we did not.

What order did you make after this visitation?—It was our duty to report to the head of our house, and for him to make his order; and we had nothing further to do with it.

Did you learn any thing at Pocklington, respecting the revenues of the school?—We understood from the master himself, that he had succeeded in many of his Chancery suits, but that he still was in Chancery; and I am not aware that we heard the amount of the revenues; no precise sum was stated; the parishioners stated it at a very large sum, but the master said they had considerably over-rated it.

What was the sum you heard rumoured in the parish?—They mentioned about 1,200*l.* or more.

What did the master say to that statement?—He said it was over-rated.

Did he tell you what they really were?—I think he mentioned, that from 800*l.* to 900*l.* a year he had at present made.

Did he include under that the amount of fines taken under the leases?—He did not specify the nature of the property.

Do you know how the lands are let?—They were let, we understood, when he came to them, and had been let on long leases.

For how long?—I cannot say.

Did you understand he had set aside any of those leases, on account of the length of the term?—We understood so from his statement, by a suit in equity.

Does he let now upon lease?—That I cannot say.

Did you understand that a rise of rents was expected by the master from the present time?—From the estates he had recovered. (We wish to speak very guardedly on these points, because we did not examine into them.)

To Dr. Wood.] When the visitors had made their report to you, what order did you make in consequence?—I wrote to the master, stating to him certain suggestions for the regulation of Pocklington school; with the permission of the Committee, I will deliver in both the letter and the regulations.

[They were read, as follow:]

Suggestions for the Regulation of Pocklington School.

That prayers be read at seven o'clock in the morning from Lady-day to Michaelmas, and at eight from Michaelmas to Lady-day, after which the business of the school shall continue till nine o'clock; in each case it shall be resumed at ten, and continue till twelve; at two in the afternoon it shall re-commence, and continue till four o'clock from Michaelmas to Lady-day, and till five o'clock from Lady-day to Michaelmas; and at the close of the whole prayers shall be read.

The master or the usher, or both, shall attend during these hours.

That a register shall be kept of the time when each boy enters the school, and when he leaves it, his age at admission, and the place of his birth.

That if any boy shall absent himself from the business of the school at one time, or at separate times, more than three weeks in one year, unless from illness, or with the approbation and consent of the master, he shall be considered as having left the school, and the circumstances of the case shall be entered in the register; this however shall not prevent the re-admission of the boy, if the master thinks it proper.

That an efficient usher shall be appointed without delay.

St. John's, January 6, 1818.

Dear Sir,

In the preceding pages you have the regulations which appear to me to be absolutely necessary for the proper management of Pocklington school. In drawing them up, I have had the assistance of the seniors, who tell me, however, that the superintendence of the school rests wholly with myself.

If you have any observations to make upon them, or any others to suggest, I shall consider your suggestions with the utmost attention; in the meantime, I trust these will be put in force, and immediately.

Believe me, my dear Sir,

Your faithful humble Servant,

St. John's, January 6, 1818.

J. WOOD.

Have you given any order for admitting boys free without expense?—He has never refused any, except in one particular case.

Do you state this from your own knowledge, or from the representation of the master himself?—His representation, and the representation of the parishioners.

What is the case to which you allude?—The case of a boy, which I examined into, when I was down there; he had been at the school some time ago, and was punished for his neglect and inattention, and the father removed him from the school in consequence; that happened about five years ago. On Monday last he applied to be re-admitted into the school; he is now between eighteen and nineteen. I could not exactly learn where he had been; he had been at some other school in the interval; but, on examination, I found he had also been a methodist preacher, and, I presume, is so now. The master refused to admit him, and I thought it a reasonable ground of refusal.

To what do you ascribe there being so few scholars, if he refused none who applied?—I rather think that it was owing to the circumstance that appears in one of those questions, that the usher became deaf, and was therefore not capable of teaching.

Does the master not teach himself?—Yes.

Was there any impediment to prevent him from teaching more than one?—Not that I know of.

How did he account for not having more than one boy at the school himself?—That I do not know.

To Mr. Hornbuckle and Mr. Calvert.] How did the master account to you for not having more than one boy in the school?—Partly from his other engagements, and from his long absences in town on account of his law suits.

How many inhabitants do you apprehend there are in Pocklington?—Speaking merely from the size of the town, I should suppose about 2000; it is a small market town.

Did you understand, that though he never positively refused a boy, that he, by his conduct, so acted as to prevent boys from being put to the school?—There was one complaint, which has been alluded

to by Dr. Wood, of his having flogged a boy, and his father had taken him away.

Was it complained, that that flogging which had been given was in consequence of some inquiries made by the father as to the mismanagement of the school?—That was not the statement of the master himself; his statement was, that it was for the misconduct of the boy.

Did you hear any other statement?—I believe another statement appears in the answers to the questions.

Mr. Calvert.] I recollect it was insinuated at the time, that he was flogged severely in consequence of his father having taken some measures respecting the management of the school.

Mr. Hornbuckle.] The father brought him back in about a fortnight, and tendered him again; but the master refused to receive him, as the father had taken him away.

Did you two gentlemen go the other day with Dr. Wood?—No.

To Dr. Wood.] Your orders having been given last January, when you went to Pocklington, did you find they had been complied with?—I did.

In all respects?—Yes, as far as I could observe.

The scholars have increased from one to eight?—Yes.

Was the usher a competent person?—The usher is a part of the corporation; they have got an assistant who is a proper person.

Was the other usher not capable of being removed?—I fancy not.

To what do you ascribe there being only eight children at an excellent free school, in so considerable a place as Pocklington?—I really do not know; one person told me he had two sons, whom he would send directly to the school; but I do not know how it happens there are so few.

Is the master of the school the parson of the parish of Pocklington?—No.

Who is the parson?—I do not know who is in the possession of the living.

Is it a college living?—It is not ours; Pocklington is a grammar school by the foundation, and it is possible the parents of the children may not be desirous of having their children so instructed.

Is, by the foundation, nothing to be taught but grammar?—I believe so; it is a grammar school only.

Does that preclude the master from teaching reading, writing, and arithmetic?—I do not know that it precludes him; but I shall insist upon his attending to the other.

Were writing and arithmetic ever taught at the school, as far as you can learn?—I believe it was, by an assistant, out of the regular school hours.

Did the visitor, or supposed visitor, ever interfere to prevent his teaching reading, writing, &c. as being inconsistent with the foundation?—I believe not; but I can only answer for myself.

Do you understand, by *scientia grammaticalis*, instruction confined purely to grammar?—To the learned languages, I do.

Is not English grammar a part of *scientia grammaticalis*; and is not the circumstance of this being in Latin a mere accident, from the practice of the times?—I conceive from the practice of the times, it is grammar and the learned languages.

Upon what is that construction of words founded?—I cannot pretend to say, but that is the impression upon my mind; and I think there is another reason, that these scholars are to come properly instructed in grammar and the learned languages, to St. John's College.

Supposing scientia gramaticalis to comprehend grammar and the learned languages, as well as English grammar, would not then the requisition be complied with, in respect to the scholarships?—If they were sufficiently instructed in the learned languages, no doubt.

Would they be worse instructed in the learned languages for having been instructed to read English also?—There can be no doubt as to the answer to that question; but I suppose they are to come so far prepared to Pocklington school.

At the time of the foundation of Pocklington school, was there any other school for teaching English?—I do not know.

Did you ever hear of any?—It was founded in the time of Henry VIII. and I do not recollect that I have.

Is there any limit to the age of the boys when they come?—Not that I know of.

What are the scholarships worth at St. John's?—That depends upon the scholar's residence.

If he resides?—That depends also upon the number of scholars.

How many are there at present?—I cannot tell; I believe five on Dr. Dowman's foundation.

Are they paid out of the revenues of Pocklington school?—No, not at all; they are paid out of the college revenues; we have nothing to do with the Pocklington school revenues.

Do you know of any other outgoing from Pocklington, except the master and usher's salary?—No.

Is there any salary fixed for the master or usher?—I believe not, as far as I know.

Has the master the rest, after paying the usher and the expenses of the school?—I understood from the master, that the usher has one-third, and he two-thirds; that that has been the rule, though I do not find it on the deeds.

How many fellowships are there of St. John's, Cambridge?—Fifty-three foundation fellowships, and about eight or nine bye-fellowships; but I do not know whether they are all filled; I understand there are seven.

What is the fellowship communibus annis worth?—That I cannot say, the value depends upon such a variety of circumstances.

What is the most you have known them worth in any one year?—That depends upon a man's commons, so that it is impossible for me to say; the senior fellowships are worth more than the others.

Confine your attention to the senior fellowships, and to the part which consists in money payments; what have you known any senior fellow receive in money in any one year?—140*l*. I think, is the highest dividend, in money, I ever remember; and the half of 140*l*. making in all 210*l*. that is the highest I ever remember to a senior fellow.

Are the college leases let upon fines?—Some are, and some are not.

Are the fines divided to increase the fellowships?—They are made part of the college funds.

Are fellowships increased according to the amount of the fines in any one year?—I believe our dividends depend upon the residue, after all expenses are paid.

Are not the fellowships increased according to the amount of the fines?—If the fines are greater, the fellowships must be greater.

Besides the fellowships, suppose a man resides, what advantages has he?—He has his commons; his rooms he has whether he resides or not; he has either the rooms, or the value of them.

Suppose he does not reside, and has a commutation for his rooms,

what are they worth?—The highest value is 13*l.* a year, and the lowest about 4*l.* or 5*l.*

The master has a double senior fellowship?—Yes; three junior fellowships, or two senior fellowships.

Has he any other emoluments?—Yes.

State them?—I enjoy an estate, which was left to the master, of about 100*l.* a year, and some other emoluments which I cannot enumerate now.

Are there many livings in the gift of St. John's?—A considerable number.

Can they be holden with fellowships any of them?—Not one; the statutes forbid it.

Are there not livings in the gift of other patrons, to which fellows of St. John's might be presented?—There are five livings in the gift of the Duke of Norfolk, or his executors or assigns, which he devised to be sold.

Which might be given to persons who are at the moment of presentation, fellows of St. John's?—Yes.

Are those valuable livings?—They are good livings, I believe.

What is the greatest amount?—I cannot say exactly.

Have you heard?—They talk of one being worth about 1000*l.* a year.

Who elect the fellows of St. John's?—The master and eight seniors.

Has any instance been known, of a person nearly connected with the patron of any of those five livings, being elected a fellow of St. John's?—Yes, several.

In those cases, were the persons elected fellows, known to be connected with the patron of the livings?—I conceive so; there was one fellow, I recollect very well, who was a relation, and I dare say there are other instances.

Was he a near relation?—I do not know.

Does he hold one of the livings now?—Yes.

Suppose a person was likely to be elected a fellow, and that any relation of his became the purchaser of one of these valuable advowsons, do you take upon you to represent to this Committee, that that circumstance would make no difference whatsoever, in his chance of obtaining a fellowship?—Not the least.

If any reports of a contrary tendency have been circulated, are they utterly devoid of foundation?—I believe them to be totally devoid of foundation, and entirely slanderous.

How long have you been connected with the college?—Nearly 40 years, and I have never known an instance to justify such an insinuation.

Are there any other livings in the gift of private patrons, to which the fellows of St. John's must be elected, besides those?—None.

The college livings go according to seniority, as usual?—Yes.

Have the statutes of St. John's ever been printed?—No, never, I believe, but there are plenty of copies.

To Mr. Hornbuckle and Mr. Calvert.] Have you heard the last questions that have been put to the reverend master?—Yes.

Do you entirely concur in the answers given, according to your experience and knowledge?—Yes, perfectly.

Did you ever happen to hear rumours to the effect to which those questions referred?—I cannot say I ever did.

Were the questions put to day, the first intimation you ever had of suspicion being entertained in any quarter whatever, respecting the rumours of such a practice?—Yes; it is the first time I ever heard it mentioned.

But if such rumours had been propagated, do you entirely concur with the reverend master, that they have no foundation in truth?—Entirely, as far as our experience goes.

How long has the master of the school at Pocklington, been absent at a time?—I really cannot take upon myself to say, unless it appears by the papers given in.

To Mr. Calvert.] Did you make any inquiry, when you were at Pocklington, as to the attendance of the master?—That was a part of the questions; we refer to the papers; I beg to state, in consequence of some statements made by the parishioners, we thought it right to put an additional number of questions to the master, which comprised in our view, all the subjects of complaint.

“Question 1. Have you been lately absent nearly 12 months?

“2. Did you take any papers from the church chest, and have you returned them?

“3. What stipend do you pay the usher; was he appointed unconditionally?

“4. Did you ever refuse re-admission to Mr. Hornby's son, and to admit another son of his?

“5. Was the school room ever used as a carpenter's shop for any length of time?

“6. Did Mr. Shield promise Mr. Bagley to provide an able and sufficient person, before Christmas 1816, in the stead of Mr. Brown?

“7. What sum was paid for dilapidations by the representatives of the late master, and how was it applied?”

“Ans. 1. With the most painful feelings I have to state, in reply to the first question, that in consequence of the very extraordinary pressure of the times, and the losses I sustained last year, I was unable to fulfil my pecuniary engagements. The subsequent rigorous proceedings of the Pocklington Canal company, and another creditor, have compelled me, much against my inclination, to be absent a great deal from home during the last 10 months; and I should certainly have appointed a substitute to attend the school, if there had been any scholars to be taught; but I had been constantly resident for many months before that time, and no one either then or since applied for admission.

“2. Soon after my appointment to the mastership, I procured from the college treasury, the copy of a schedule of writings relating to Pocklington school, stated to be deposited in a chest in the vestry; I sent to the persons possessing the keys, and in their presence the chest was opened, wherein I found a number of small wooden boxes, in which the deeds of the several estates seemed to have been separately kept, but which then contained only their reliques, the greater part of them having been eaten or reduced to powder by the worms. Out of the whole number I found only two that were sufficiently perfect to be legible; these were small deeds (dated in Hen. VIII.) relating to an estate at York, which I brought away, and had them repaired; they are now kept in my possession with the other writings belonging to the school, and were exhibited to the visitors; had I returned them to the chest, they must very soon have shared the fate of the others. I think much blame imputable to the persons in whose care these writings were deposited, which after being preserved for some centuries, have through negligence been lately destroyed.

“3. The usher was appointed unconditionally; his stipend since the leases were set aside, has been 200*l.* a year, which sum when the very great and continued expenses that have been incurred since my appointment are taken into consideration, will I think appear to be equal to a third part of the clear income of the estates, which share I understand

the usher used to receive in the time of the late master, but I have not yet seen any document by which it appears that the usher is intitled to that share.

"4. Mr. Hornby took away his son from the school, because I punished him for repeated carelessness and idleness; I therefore refused to re-admit, but I never refused to admit any other son of his.

"5. The room which has always been used as the school since my residence here, has never to my knowledge, been used for any other purpose. The room which was formerly used as the school, I found to be very damp, having a brick floor, considerably below the surface of the adjacent ground, and a small fire place insufficient for so large a room; I therefore thought it would be conducive to the health and comfort of the scholars, to make use of a room over the old school, which is much more convenient for a small number. The room formerly used as the school, has been used occasionally for the purpose of preparing timber and other materials for repairing the school and the master's house, and doing other repairs about the premises.

"6. In a conversation with Mr. Bagley a little before last Christmas, I assured him that if he would send his sons to school, I would take care that they should be properly instructed; and if I found that Mr. Brown was, through the impediment in his hearing, incapable of teaching, I would see that a proper person should be employed to attend the school for him; there were at that time no scholars, and Mr. Bagley never applied to have his sons admitted.

"7. I received 100*l.* for dilapidations from the representatives of the late master, part of which sum has been expended in repairing that part of the master's house which is not intended to be altered, and the remainder in the purchase of materials (which are now upon the premises,) for repairing the school and the master's house; I have also expended a considerable sum in converting an old barn near the master's house, into a chaise house, saddle house and granary, and large sums in buildings and improvements on the farms, which will appear in my report.

"T. Shield."

Mr. Richard Bayne Blamire, called in; and Examined.

Do you know what the revenues of Pocklington school are?—I do not.

Are the lands at Pocklington let upon lease?—Some of them were let upon lease, and those leases were avoided; whether they are let on lease now I do not know.

Were they avoided on account of the length?—I believe not; I think there was an informality.

Were they very long leases?—No, merely husbandry leases.

Are the lands usually let upon fine?—I believe not; some of them have been formerly, but not now.

Do you know the extent of the estates?—It cannot be ascertained how many acres there are, in consequence of a dispute about part of the estate.

How long has it been in dispute?—About four years; the dispute is very near concluded, I believe.

Do you mean by that that the counsel have concluded their argument, and that it waits for the court's judgment?—The court has directed a commission to issue for setting out the lands, and it has been suspended in consequence of a communication with the parties, for the last twelve months.

Have you ever known a cause, after having been finally heard in the

Court of Chancery, set down for judgment, and the court not give its judgment on the day appointed?—Very frequently.

Is it usual for a cause to be set down for judgment on a particular day, and the court to give judgment on that day?—There are more frequent disappointments there than in any of the other courts.

When a cause is set down for judgment, is there a fee paid of ten shillings upon that attendance to the solicitor of each party?—Always.

My lord Erskine's order?—Yes; and thirteen and fourpence when the judgment is given.

Is there any other expense attending these appointments and disappointments of the parties?—Frequently.

What are those expenses?—Occasionally fees to counsel, in the nature of refreshers.

Is there any expense of short-hand writers employed to be in attendance paid for that, and leaving the court without doing any thing for their money, and obliged to be in attendance upon the same terms with the same result another day?—Unquestionably; where the parties employ a short-hand writer for the purpose of taking notes, they are subject to the same disappointments.

Is it usual in matters of any moment to retain a short-hand writer for that purpose, when his lordship's judgment is expected?—Very commonly, when the case is important.

Are those fees and expenses all the same be the amount of the matter in dispute great or small?—The solicitor's fees are.

And the short-hand writer's fees?—Yes; precisely the same in all cases.

Though there may be some difference as to the fees to counsel, there is none as to short-hand writers?—No, there is not; but the fees to counsel depend upon the exercise of the solicitor's discretion.

Is there any case of a decision being expected in a matter relating to a charity, in which those expenses attending short-hand writers are not gone through?—I have no knowledge of their expenses.

From the nature of the subject, should not you as a solicitor, yourself, deem it your duty to have a short-hand note of the Lord Chancellor's judgment upon a matter relating to a charity?—Not upon all occasions.

In such case, is it not more usual to consider such a precaution necessary than in cases of private property?—That depends upon the nature of the question.

In any considerable case, would not that be the course?—It would be prudent to do so certainly, but there are many considerations to be weighed before we should adopt that; the suit I speak of was before the Vice-Chancellor and not before the Lord Chancellor.

MERE CHARITY.

June 2.

Mr. Richard Dawson, called in; and Examined.

Where do you live?—At Bracebridge, in the city of Lincoln.

Are you steward of the charity at Mere?—Yes, I have always paid the bedes money.

You are called steward?—Yes.

[*The witness delivered in two letters, which were read, as follow :*]

SIR,

Cardington, near Bedford, August 8, 1811.

WHEN Mr. Gardner delivered to me your letter, containing the information of the death of Mr. Alderman Gibbison, he accompanied it with a recommendation of you to be appointed his successor in the office of agent to the warden of the hospital of the Mere, near Lincoln, which recommendation has been strengthened since by that of Mr. Burcham likewise; in consequence whereof, I do hereby nominate and appoint you to be my agent in transacting the affairs of that hospital, the principal of which are as follow, viz. to receive of Mr. Manby, the lessee, the annual reserved rents, and pay them to the warden and six brethren, i. e. the sum of eight pounds to the former, and four to each of the latter; and, upon any vacancy happening, by death of any of the brethren, to recommend a proper person to be by me nominated in his room; the qualifications which I wish to have chiefly regarded in the recommendation of any one, are, his being advanced in age, labouring under his infirmities, of an honest and sober conversation, and a member of the church of England, and not receiving parochial relief. I believe the payments are made half yearly to the brethren at Michaelmas and Ladyday, of two pounds to each; the payment to the warden you may remit yearly, with an account of the year's receipt, stating the names of the brethren to whom the half yearly payments have been made, taking a receipt of every one of them, to be kept for mine and Mr. Manby's satisfaction, that the payments are regularly made. The agent deducts one pound for his trouble from the annual rent paid to the warden, which leaves seven pounds to be annually remitted to me. These are all the instructions which at present occur to me, to be given for the regulating of your conduct as agent to the warden, to which I have to add a request, that you will satisfy every inquiry made by either Mr. Gardner or Mr. Burcham, whenever they may have occasion to inspect the estate belonging to the hospital. And wishing you health and happiness, I remain, Sir,

Your humble servant,

F. Cumming.

Warden of the Hospital of Mere.

If you are ignorant of the names of the present brethren, they shall be made known to you, upon application by letter either to me or Mr. Gardner.

To Mr. Dawson.

SIR,

Cardington, May 19, 1817.

I HAVE just received from Mr. Gardner the sum of seven pounds, which, with one pound allowed for agency, make eight pounds, being a year's reserved rent, due at Ladyday last past, from John Manby, esq. lessee of the hospital of the Mere, near Lincoln, to the master or warden of the said hospital, and for the trouble you have taken in leaving the same with Mr. Gardner, I desire my best thanks may be acceptable, and with wishing you and family the enjoyment of health I remain, Sir,

Your obedient servant,

F. Cumming.

To Mr. Dawson,

Do you receive all the rents of the Mere charity estate? --- There are

32*l.* paid by Mr. Manby, who is the lessee, and I pay six poor men 4*l.* each.

Which makes 24*l.* a year?---Yes, the warden gets 8*l.* and he returns me 1*l.* for agency.

From your situation as steward to the property, you are perhaps well acquainted with its extent and situation?---I occupy part of it.

What part of it?---About 224 acres.

Do you know the extent of the whole of the charity estate?---I cannot say, to be exact; had I been aware of the inquiry, I might have seen what the quantity was in Mr. Manby's writings, but I never had any thoughts of its being inquired into. I did not know of my coming up but a few hours before I set off. I think it is 600 acres and upwards.

Has the estate been enclosed lately?---Yes, in the year 1790 Mr. Manby spent a great deal of money in fencing it.

What rent do you pay for the part you hold of that property?---My land is intermixed with Mr. Manby's freehold, and my rent is estimated at 10*s.* 6*d.* per acre.

Then is the committee to understand that you are the lessee, and that Mr. Manby holds the whole of the property?---Yes, I rent the freehold and part of the leasehold of him, for which I give him 10*s.* 6*d.* an acre.

What term have you in that estate?---I began in the year 1790 at 7*s.* for eleven years; then in 1802, I renewed, two years before my lease was out, at 10*s.* 6*d.* per acre.

Did you, on renewing your lease, pay any fine?---No; I rent freehold of Mr. Manby, at different rents, which are specified. Some land I rent at 2*l.* an acre.

On renewing your lease on the late occasion, at 10*s.* 6*d.* per acre, did you pay any pecuniary fine for it?---Nothing at all for it.

Do you know the rent paid by Mr. Manby for the whole of the estate?---I do not; I never heard it spoken of; I recollect Mr. Manby saying, that the bishop of Ely was the warden some time back.

Who is the present warden?---The Rev. Dr. John Pretyma; he has not been read in long; he was only read in, as well as I can recollect, the twenty-third of last June.

How many paupers are there now upon that charity?---Six.

Was there ever more than six in your recollection?---Never; my father was born upon the estate; and I suppose our whole family has been upwards of 200 years upon the estate.

You are confident that, within the recollection of your family, there has never been more than six poor men?---Yes; there are six poor men who are paid yearly four pounds each.

It is your duty to distribute the rent in the way you have stated?---I do.

Can you tell what becomes of the additional rent, arising from the renewals, because you have stated that you yourself paid 10*s.* 6*d.* an acre?---I always thought Mr. Manby was the same as myself, a tenant to the estate; and what accumulation arose from that, he applied to his own purpose; he renews, as far as I know, his lease, which is 21 years, every seven years.

Upon payment of a fine to the warden?---Yes, upon payment of a fine to the warden.

Is that fine governed by any particular principle; is it a certain fine?---No; I never heard that it was such; I always understood that it was as Mr. Manby and the warden might agree; just as it may happen.

You are not acquainted with the rent paid by Mr. Manby?---I am

not; I believe that at this time the lease is running out; he did not think it worth his notice to renew it; I think there are six years to go the 4th of next February.

Can you give the Committee any information what becomes of those fines you speak of; Mr. Manby, by your statement, pays a certain fine every seven years; to whom does he pay it?---To the warden.

Is any part of the fine, to your knowledge and belief, appropriated towards the uses of the charity?---There has never been a sixpence paid to the charity from the estate, except the six 4^l. and the 8^l. the warden gets yearly, out of which he pays me 1^l.

Did you ever see, or did you ever hear, any particulars of the disposition of the founder of this charity, as to the application of the funds?---No; I always understood that it was left by Michael Robell.

For what purpose did he leave it?---To these six poor men; that is what it was left for.

Left what?---This piece of ground to these six men, and to this poor warden to read to them as a residentiary.

How often?---As often as necessary.

No specific time that you know of?---There has not been, within my recollection, any chapel or any kind of church, nor have I ever heard tell of any one having been up.

You have seen the foundation of one, have you not?---There are a great many foundations; it seems as if it had once been a town; there is nothing upon the estate, but a farm house and a building or two.

What was the name of the last warden?---Mr. Cummings, of Cardington, near Bedford.

Are you acquainted with his reasons for the resignation of that office?---I am not; he hardly thought it was worth holding, I suppose; it was only a small fine, and it comes only once in seven years.

That fine is not an annual payment?---No, it is not; but, as to the fine, I know nothing of it; I was quite a stranger to the circumstance that Mr. Prettyman was coming to be read in.

The Committee ask you, as a farmer, what is the value of that estate per annum?---Some people will give more than others; but, in the way I farm my land, I do not think that a man could afford to give much more for it than I do.

The Committee understand that this estate is situated upon Lincoln Heath, about five miles from the city of Lincoln, and they ask you, whether that land does not let well?---I can hardly speak to that.

Is it liable to the payment of great tithe?---No; it is not liable to great tithe.

Or poor rates?---No.

Then do you mean to state to the Committee, as your opinion, that land so situated, and not liable to great tithes or poor rates, is not worth more than 12s. per acre?---There is land which is let for more; I give myself 2^l. an acre for land, near Lincoln, but that is meadow land; it is very different land from the other; this is heath land.

There are about 650 acres of this estate, are there not?---I believe there are.

Are you sure there are not 700 acres?---I cannot speak to that; there are three different farms intermixed with the freehold.

Are you not clear in your own mind that that tithe-free estate is well worth 20s. an acre?---Why, I should think it would be more than a man could pay rent at; I would not give that myself, that is the best proof I can give.

Have you very few inhabitants in Mere?---There is only one resident inhabitant at Mere.

What was the assessment to the property tax for that property?—I do not know.

What did you pay?—I cannot say; I gave it in along with my rental.

Your landlord paid it?—He paid his part, and I paid the tenant's tax.

What was the amount of the tenant's tax which you paid?—I have really forgotten, it is so long since.

You have little or no poor rates in that district?—None.

Nor tithe?—No.

And you are of opinion (the Committee wish to repeat) that under the circumstances of no tithe and no poor rates, that that land is not worth 20s. per acre?—I refused to take it at that price.

Now have the goodness to put a value upon the whole charity estate, in your own form?—I should hardly feel myself at liberty to do that; I am only a tenant, not a land valuer.

Do you not, in the neighbourhood of that estate, rent some land that you give 20s. an acre for?—Yes, of Mr. Manby.

How far is that distant from where the chapel stood?—There is no chapel.

The Committee suppose the estate might be estimated at 500l. a year; should you think that to be too much?—I can only tell the Committee that I was offered it at 20s. per acre, but I refused it.

Can you give the Committee any account who it is that receives the fines that are paid every seventh year?—I suppose the warden.

Does he pay any rent to anybody for being warden?—I never heard tell anything of that sort, I think not, only my 1l.

Are any of the cottages still remaining?—There never were any to my knowledge.

With whom is the selection and nomination of the six poor men?—The warden; upon the death of one, I recommend a poor man to him, a man who is poor, honest and industrious, who is a churchman, and who has brought up his family without parochial relief, and he appoints him.

In point of fact, the whole of the patronage of this little charity lies in yourself?—There is nothing done without a certificate from the warden.

The Committee ask you, whether it is not usual for the warden to pay this little stipend to those whom you recommend?—Yes.

Are they not people who have been in your employment?—There was only one who ever worked with me; they are all poor men of good character; other people sometimes recommend them, for instance, the Rev. Mr. Deacon, rector of Waddington, recommended a proper person, as he thought, for such a thing when there should be a vacancy, and I thought when there was one, I should recommend him.

Do you happen to know, whether this 32l. a year has been the ancient rent of that land?—As much as my recollection will serve me it is, my grandfather was agent to Mr. Manby 80 years ago, Mr. Alderman Gibbison succeeded him.

Your understanding of this charity appears to be, that the land was left for the support of a certain number of poor men, and to a man who was to pray and read with them; is that your understanding?—Yes.

In point of fact those poor men only receive 24l. a year?—That is all the money that has been paid them, 4l. each.

That is not the value of the property any way?—No.

Can you give the Committee any idea of the value?—I do not know what Mr. Manby gives to the warden; I think Mr. Manby gives 80l. or 100l.

Do you mean that that is the annual rent, or the fine which is paid ?
—The fine for seven years.

Do you think he pays any annual rent ?—Not to my knowledge.

Then he has got a pretty good thing of it ?—No, I do not know that.

You surely do ?—He has made it worth his while, I believe.

Is the particular farm you hold, arable or grass land, or a mixture of both ?—The whole of it is arable, except what they call the home yard ; it is mostly boggy, and foundations, and such as that ; but I do not occupy that.

What is the common produce of your farm ; do you grow much wheat ?—No, not much wheat ; we grow turnips, barley, oats, and seeds.

Have you pretty good crops ?—That depends upon the management ; there were not good crops last year.

Are the two other farms cultivated in the same way ?—Yes, all the same sort of land ; but it is intermixed with freehold.

And it produces barley, turnips and oats ?—Yes.

Do you think it is a pretty good sheep country ?—We can do nothing without management ; we bone and manure a good deal.

You are not troubled with the rot on this particular land ?—No, we are not.

Then you look upon it as very good sheep country ?—Yes, rather so.

Do you know where the records of this charity are kept ?—No.

Did you ever hear ?—No.

Could Mr. Prettyman give that information ?—Mr. Prettyman knows nothing at all of the charity ; he only came in as residentiary last year ; he would have waited on the Committee, but he thought he could not give more information to the Committee than myself.

Did you ever act for Mr. Manby in the way of agency ?—Yes, I have received rents for him sometimes.

Did you receive rents for the other farms ?—No.

Can you form any idea of the amount of the rent ?—No ; I used to receive of the last tenant 10s. 6d. per acre, but what the present rental is, I do not know.

But, according to your belief, the warden receives those fines every seven years ?—I believe Mr. Manby renews with the warden, but I do not know the fine.

There must be a fine, or something of that kind ?—Yes, but I do not know what.

But you are confident that no part of that fine is applied to the support of the poor persons ?—No, the warden always gets it for his own benefit ; I consider it like a living to a church.

Where do the almsmen live ?—Three of them live in Lincoln ; there are no houses there, nor ever were any.

Are you sure of that ?—Not in our recollection.

Are the men ever collected together, to meet the warden ?—No, I do not know that they ever were.

Previous to your leaving Lincolnshire, you doubtless had some conversation with the warden ?—Yes.

Did he give you this letter ?—*[Showing a letter to the witness.]*—Yes, to introduce myself to Mr. Brougham.

Did you read it ?—Yes.

Because the Committee observes this letter states, “ that it is the wish of the Committee to have the yearly account of the charity and services performed, and the expenses paid out ; ” now, as you have told the Committee that the 32*l.* is not the *bonâ fide* rent, or value of the land, they are sorry you can give no distinct account of the fines ?—No person can tell that, except the lessee or the warden themselves.

Why did the warden neglect to attend his summons?—He is residentiary, as sub-dean and precentor in the cathedral, and the dean, I believe, would not allow him to come; he is absent at present.

Who is absent?—The dean; and he was not furnished with half the particulars that I was.

By your own account, he is furnished with the very particular which the Committee in vain demand of you to explain, namely, the amount of the fines, and the particulars of them?—I have told the Committee that he has not been in possession but one twelvemonth, and is ignorant of it.

Where does the last warden reside?—At Cardington, near Bedford.

Was that living given him by the Bishop of Lincoln?—Yes, I believe it was.

He resigned his wardenship upon that occasion?—Mr. Cummings resigned his wardenship upon that occasion.

You are fully persuaded, that the warden had no knowledge of what the fines were, previous to his becoming warden?—He told me, he did not know so much of the estate as I did.

No, the Committee dare say not; but you do not mean to tell the Committee, that it is your opinion, that the present warden has no knowledge of the fines, occasionally taken on that estate?—I cannot tell what Mr. Prettyman, or the late warden, might communicate to each other.

Did the present warden state to you, any thing respecting the fines?—Not the least thing in the world.

Is land of the same quality as this, in the same situation, and exempt from all poor rates and large tithes, let for no more than 12s. an acre?—I cannot speak to that.

Are you a farmer?—Yes.

The Committee must have an answer, yes or no, to the question which has been put?—I told the Committee that that land had become at liberty at Ladyday, and that it was offered to me at 20s. an acre, and I refused it; the old tenant died, and the steward offered it to me along with some good meadow land, worth 3l. an acre, and I refused it.

In the years 1812 and 1814, what was it let for?—10s. 6d. per acre.

The whole estate?—Yes.

One acre with another; not of that particular farm, but the whole charity estate?—I cannot speak to that, because it was mixed with the freehold; but my land is specified in my agreement, as far as I know, and this large farm, held by Mr. Littlewood (who occupies the manor house) was at 10s. 6d. per acre; I used to take the rent.

Is the rest of the land intermixed with the freehold part, inferior or superior?—Some a great deal better; some no better; some not quite so good.

What was the value of that freehold land, in 1812 and 1813?—The freehold and leasehold were let at 10s. 6d. an acre, of that farm.

But the Committee are speaking of the other part?—I have a certain part at 10s. 6d.; I am not quite sure whether for what Mr. Gibbison had; he paid more than 5s. per acre, before it was inclosed.

Was any part of this charity land, uninclosed land?—Yes, part of it was uninclosed.

What quantity of it?—200 acres.

Was the rest old inclosure?—Yes, all his farm.

Is the parish of Mere very extensive?—No; I should think, as near as I can guess, there are about 1,500 or 1,600 acres, of leasehold and freehold, together.

And how many proprietors?—Only one, and the warden; it is Mr. Manby's own estate, and the charity land.

Have you any other parishes adjoining, circumstanced as this estate is, where there are neither great tithes nor poor rates?—No, not exactly; except tithes.

Is there any reputation in the parish, that there were almshouses there?—I do not know; I never heard talk of them myself.

What are those poor men called?—Bedesmen.

Not almshouse men?—No, bedesmen.

Do you occupy any land in any other parish but this?—Yes.

Where?—Branstone.

What poor rates do you pay there?—One shilling in the pound.

Any where else?—Yes, in Bracebridge; I pay there about one shilling in the pound.

Are you tithe free in Branstone?—Yes.

At Bracebridge?—No, there is a tithe upon that; we pay composition money; I think it is about 7s. per acre.

What rent do you pay for the meadow land?—Near 3l.

And you pay 7s. tithe?—We do, indeed.

And 1s. poor rates?—Yes; it is very good land; we have it to help the poor land.

You are well acquainted with the county of Lincoln?—I rent a good deal of land in different parts of it.

Do you think, that that estate at Mere, can fairly be called poor land?—It is poor land, there is no doubt of it.

Do you not know much poorer land than that in the county?—Not land poorer than that, under the same circumstances that that is; it was wild heath land, within the last thirty years, except just the home estate.

Is the whole estate of Mere, called heath land?—Yes, it is called heath land.

What part of it has been inclosed many years?—Just the home close, where the foundations are, which we supposed were part of a town some time ago.

What portion of that estate was inclosed at the time the inclosure took place some years ago?—I cannot tell, because all the old which was inclosed is intermingled with Mr. Manby's.

Are the boundaries of the Mere estate well known?—Yes, I think so; I think I know more about them than any person in the neighbourhood.

But nothing about the fines?—No, that was always a bargain between my landlord and the warden.

What is the general reputation in the neighbourhood of the fine received?—It always has been settled between the warden and the lessee.

When was the lease renewed?—I should think about fifteen years ago.

For what term?—To make it up for twenty-one years; it has six years to run the 7th of next February.

Who was then the warden?—Mr. Cummings.

And have you never heard nearly (the Committee do not mean accurately) what fine was paid for that renewal?—Never; it might be one hundred, two hundred, or five hundred pounds; I never heard Mr. Manby speak of it.

Did you ever hear speak of it?—No; the warden lived at a distance.

Is it Spital or Mere that you are speaking of?—Spital.

Charles White, Esquire, called in; and Examined.

WHERE do you live?—At Branstone.

Are you landlord to the last witness?—He occupies a farm under me.

Do you know how much was taken by way of fine for the renewal of the lease of the estate which you have heard mentioned?—I know nothing of the sum of my own knowledge.

What is the reputation with respect to the fine?—The reputation I believe has been one and a half and two years; I take that to be the usual fine; but I say this with a great deal of caution, because I am not come here for the occasion; it is entirely accidental.

What do you take the value of the land to be that is let?—It is not at all in the most productive state, because it has been ill managed; I should be extremely unwilling to occupy it at 12s. an acre.

Though exempt from tithe and poor rates?—Yes, though exempt from tithe and poor rates.

If it was in a good state of management, what would you be willing to pay for the whole of it?—It is difficult to say, it so much depends upon the tenant, what capital he can employ, and what manure he lays on; if it were well farmed, I should think it would be worth from fifteen to twenty shillings an acre.

Do you think that estate is a very favourable place for sheep?—No; I do not think, generally speaking, that it is.

Is it not very dry?—Yes; but it affords very little herbage.

But is it not dry?—Yes, it is dry to a fault.

Do you know any thing further respecting this charity?—No.

Do you live in the neighbourhood?—My estate joins.

Do you know by general reputation of any almshouse being there?—No; the reputation of the country is, that there are certain pensioners paid from that estate.

Your tenant has stated, that the lands were left to the bedesmen; is that your opinion?—I cannot say; I consider that there have been formerly a very considerable number of charitable institutions on the spot some day or other; and from the number of foundations of considerable extent, the estate I suppose was left for their support.

As you do not live far from it, can you give the Committee any information what becomes of the real rent of the land?—The real rent is paid in fines, as the Committee have been informed.

Can you say what becomes of those fines, either from your own information or from general reputation?—The fine and rent I consider to be separate; the fine is paid, according to my idea, on the lease being granted to the superior tenant, who leases it again to his under tenant.

Then the superior tenant pays the fine to the warden?—Yes.

And a rent is reserved, after paying that fine of thirty-two pounds a year?—Yes.

The Committee are now speaking of the rent reserved; to whom is the fine paid when that rent is reserved?—It is paid by the superior tenant to the warden.

Have you ever heard what the fine was which the superior tenant paid upon the last renewal?—Never; my idea is that it is on the same scale as church property.

How many acres are let for 32l. a year?—Six hundred and fifty.

You are a landlord the Committee understand, owning and occupying land adjoining to this estate?—I am.

What is your idea of the reason, why a person having 650 acres, worth, you say, at least twelve shillings an acre, should let a lease for a term of years at about one shilling an acre, and only reserve a fine of from forty-five to sixty pounds?—I have considered it in my own mind as analogous to church and corporation property, and it is let, I believe, according to the same rule upon paying a fine; how that has arisen, I pretend not to say, but it is perfectly well known, that such is the practice in many parts of England.

Was Mr. Manby connected or unconnected with the former tenant?—The last witness can speak better to that than myself.

You have stated, that the fines paid to the warden are appropriated, as you conceive, to his own use?—I consider it to be so by practice.

To Mr. Dawson.] Is there any deed or endowment of the foundation?—I should suppose there is in the court rolls; it was left by Michael Roffell, of ———; it was founded by him.

In what year?—I do not know, I only heard my father speak of it, that it was, many years ago; I should think, that it must be more than a hundred years ago.

Is there a will in existence?—I should think there is; I think there is in the court rolls.

Why do you think so?—Because all original writings are there; if I wanted a will, I should go to the court to look at it.

HOSPITAL OF SPITAL.

June 1.

Mr. John May Bromhead, called in ; and Examined.

You are a solicitor at Lincoln?—I am.

Are you acquainted with the affairs of the Hospital of Spital-in-the-Street, in the county of Lincoln?—Yes, I am. Before answering any further questions, I wish to know whether I am to produce these papers in the absence of the master.

What is the master's name?—The Reverend John Prettyman.

Where does he reside?—At Charrington, near Newport Pagnell.

What communication have you had with Mr. John Prettyman?—I addressed a letter to the chairman of this Committee, in consequence of receiving a letter directed to the master of Spital hospital, under the mark of the chairman of this Committee; it passed through Lincoln, and came back again to me; I received it at ten o'clock at night instead of half-past five, by which means I could not save that post by writing to Mr. Prettyman; I wrote the next day, and sent him a copy of the order, and a copy of the letter to the chairman, in which I took the liberty of saying it was impossible to get the order to him time enough for him to attend as requested; and I think the probability was, if he was from home, there was no time to communicate with me, and the letters coming round by London, particularly as there is reason to believe he was from home; then I would submit, whether in consequence of the chairman's letter, being concerned professionally in this instance for the master, whether I ought to produce these papers; I have looked over the papers and I can trace them as far back as Richard the First, and I can trace the grants, and the nature of those grants; there is no education whatever emanates out of this charity; none whatever, it is for the maintenance of the master and certain poor; there has been already an inquiry gone down with respect to this hospital in the time of Charles.

Who is the visitor?—There is no visitor, except the master himself.

The Bishop is not visitor?—No.

Nor the Dean and Chapter?—No.

Is the Dean and Chapter patron?—Yes.

What is the revenue of the hospital?—61*l.* 8*s.* 8*d.*; I pay the whole of that in pensions, except 27*l.* 4*s.* 0*d.*, and sometimes more; it is never 30*l.* clear; there is no education arising out of it.

From what lands do those 60*l.* a year arise?—From lands in the county, and a little place in the city.

What is the real yearly value of those estates?—I never saw them.

How many acres may there be?—There is one part let at 31*l.* 10*s.* at a rack rent; the rest are on lives and leases.

Are they let upon fine?—Not that I know of; I believe there are fines taken usually upon renewal, but I do not know what they are; there has been one renewal since the present master has been master.

Do you know what it was?—No.

Can you give no estimate to the Committee of the whole annual value of the estate?—Certainly not.

Do you apprehend it to be considerably above 60*l.* a year?—Yes, considerably, if let at the rack rent.

Can you give an estimate how much?—No.

Have you ever heard it said how much?—No.

Have you ever heard any report of how many acres there are?—No; neither do I know the estates.

Do you know the part of the estate in the town?—Yes.

What is the value of it?—It was an old stable, and now converted into a grocer's shop; and I should think the annual rental of it would not be more than 6*l.* or 7*l.* a year.

Do you know any thing about Mere?—I know the place, but nothing more of it.

June 2.

The Reverend John Pretymen, called in; and Examined.

Are you master of the school of Spital-in-the-Street in the county of Lincoln?—Yes.

When was it endowed?—It was endowed in the reign of Richard the Second, about the year 1339.

Have you that endowment with you?—I have extracts from it, which are dated in the twenty-second year of the reign of Richard the Second, 1339.

[It was delivered in and read, as follows:]

“TERTIA Pars Paten de anno Rm Regis Ricardi secundi vicesimo secundo. Mo 3.

“D Eulijs } R. omibz ad quos de saltm licet, &c. de gracia ta-
 appropuand. } men nostra spiali et pro quadraginta marcis quas di-
 lectus nobis magister Thomas de Asten, canonicus ecclesiæ cathedralis
 beatæ Marie Lincoln nobis solvit concessimus et licenciam dedimus pro
 nobis et heredibus nostris quantum in nobis est eidem Thome quod
 ipse quatuor mesuagia cum ptin in Spittale-o-the-Strete Helmeswell
 et Herposwell et advocacões ecclesiar Skeldynghop juxta Lincoln et parvo
 Carleton dare posset et assignare dilco nobis in xgo magistro sive cus-
 todi domus sive Hospitalis de Spittel-o-Strete per ipsum Thomam de

novo fundati habend et tenend eidem magro sive custodi et successoribus suis magistris sive custodibus domus sive hospitalis predicti divina pro salubri statu nostro dum vixerimus et anima nostra cum ab hac luce inigraverimus necnon animalium omnium fidelium defunctorum in hospitali predicto juxta ordinacionem ipsius Thome in hac parte faciend celebratur in augmentacionem sustentaciones sue ac auxilium sustentacionis quorundem pauperum in eodem hospitali sine domo degencium imperpetuum et eidem magistro sive custodi quod ipse mesuagia advocaciones predicto a prefato Thoma recipere et tenere et ecclesias predictas appropriare et eas sic appropriatas in proprios usus tenere possit sibi et successoribus suis predictis sicut predictum est imperpetuum licenciam tenore procencium simileter dedimus specialem statuto predicto non obstante nolantes quod predictus Thomas vel heredes sui aut prefatus magister sive custos seu successores sui racone premissor per nos vel heredes nostros justiciarios escaetores vicecomites aut alios ballivos seu ministros nostros vel heredum nostrorum quoscunque onentur molestentur in aliquo seu graventur salvis tamen capitalibus dominis feodi illius servicijs inde debitis et consuetis. Ita semper quod quedam compotentes summe argenti de fructibus et proficijs ecclesiarum pres dictarum per prefatum magistrum sive custodem pauperibus parochianis eorundem ecclesiarum annuatim solvanter et distribuantur et quod vicarij ecclesiarum predictarum secundum valorem eorundem sufficient detentur juxta ordinacionem loci illius diocesani in hac parte faciend ac formam statute inde editi et provisi. In cujus &c. T. R. apud Westm' 20 die Maij."

This is a true copy of the Record in the Tower of London, and
has been examined by me, Henry Rooke,
Clerk of the Rolls.

What is the extent of the land annexed to this charity?—Several estates belong to it.

Can you give the Committee any idea of the total amount of the number of acres?—I cannot give an accurate account.

Are there five or six hundred acres?—There is nothing like that, belonging to it.

Is there any property besides land?—There is property arising from corn rents, settled by an act of parliament, and property in houses; one or two in Lincoln; a shop and stable I believe, and a farm house, upon one of the estates.

For what is the whole let?—The rent of this property is of a mixed nature; it is partly let at rack rent, and the other on leases for three lives, or twenty-one years.

How much is let upon fines?—There is but one estate, which is an estate at Bicker, which is let for 31*l.* 10*s.* a year.

What is the rent of that which is let upon fine?—It is about 30*l.* a year; about half the income.

Can you give the Committee any estimate of the extent of the land let upon fine?—No, I cannot.

Is it 100 acres?—Considerably more than 100 acres; besides the houses, there are two estates, one let upon lives, and one by lease; one is held by Lord Monson's family, under a lease of three lives; and the other, which is at Skillingthorp, is let for twenty-one years.

About how many acres may there be in those two estates?—I can tell the rent more accurately than the extent; the income from Skillingthorp arising partly from corn rent, and partly from rent paid by the tenant, is something more than six or seven hundred a year; but I should beg to state to the Committee, that out of that sum there are certain ser-

vices; the vicar is paid his whole stipend, and I believe the chancel is repaired out of that particular rent.

How much is paid to the vicar?—I believe thirty or forty pounds a year; but I think thirty.

Now the other estate?—The other estate is at Burton, which is the seat of the Monson family; I do not know what that estate is let for.

Have you any guess?—No, I have not; I can tell what was the fine paid for putting in a life, when there were two lives upon it; 120*l.* was the sum paid by order of the Court of Chancery.

What is the fine for letting the other estate?—The last fine that ever was paid was 200*l.*

Who was the lessee of that estate?—A Mr. Matthew Gray, of Lincoln.

Who had the lease before?—I do not know.

Is he connected with the warden?—I do not know.

How do you account for a lease, for twenty-one years, which was let after paying all deductions, for about 600*l.* on a fine of 200*l.*; and for a reserved rent of somewhere about 24*l.*?—In answer to that, I believe at that time, the land was not worth any thing like what it is now worth; and, in addition, I should say, that the lessee had a lease for fourteen years upon it, having already so powerful a hold, the warden would not demand a higher fine.

Do you know what fine was paid upon the first lease?—I have heard say, that the fine before the 200*l.* was only 20*l.*; the estate has been much improved of late by enclosure, as well as the general improvement of property throughout the kingdom.

When will the 21 years lease expire?—It has been renewed, within a short time.

When was it renewed?—In the course of this spring.

For the same rent?—It is under particular circumstances.

For what rent was it renewed?—I am not able to state that.

Upon what fine was it renewed?—I cannot give a direct answer to that question, without stating a train of circumstances.

Then state the circumstances of the renewal?—At the time that the seven years of the lease was out, the lessee refused to renew with the then master; in consequence, for a term of years, no money arose upon that estate, excepting from the reserved rent; and upon my taking it, the person who had the lease was, I believe, not anxious to renew; and since that, I have not felt any inclination to renew, conceiving that I have full power to renew with the lessee, or not, as I think proper; the time would be out in three years after the 17th of this month, that is, in June, 1721.

What consideration did you give for renewing that lease?—I purchased the remainder of the term of the lessee, myself.

In whose occupation is it now?—Mr. Hemley's.

To whom does he pay rent?—He has never paid me any rent yet; I consider myself as standing in the situation of landlord.

Then what rent is he bound to pay you?—Something between six and seven hundred pounds, out of which the vicar is paid, as I have stated before, and the chancel is repaired.

What did you pay for purchasing that lease?—I gave the exact sum of money for it which the rents would have amounted to three years since.

What does that amount to?—To something more than 1,900*l.*

What are the outgoings upon this rent?—I have got accounts of the present outgoings of the charity, for ten different years.

When the three years of the present lease expires, what do you expect it to let at?—I do not apprehend that is capable of any increase.

Can you tell us how many acres there are?—I think, something more than 300, but I am not sure that it is so.

Please to state the account of the outgoings?—The outgoings, 27*l.* 4*s.*

To whom paid?—To four pensioners and a half, 5*l.* 4*s.* each, at eight shillings a month; there is a half pensioner, arising out of a very old custom.

Who is the visitor of this charity?—It is not known to myself; I rather think the Dean and Chapter of Lincoln appoint the visitor.

Who appoints to Mere?—The Bishop of Lincoln.

Who is the visitor of Mere?—My own opinion is, that the Bishop of Lincoln is visitor.

You do not know whether he ever exercised his visitatorial power?—No, I do not know that he ever did; I would beg to state, that originally, the pensions were only a penny a day, they are now five pounds four shillings a year, and the remainder was for the maintenance of the master, as appears from the document laid before the Committee.

John May Bromehead, Esquire, called in; and Examined.

HAVE you any thing to state to the Committee upon the subject of the Spital Hospital?—There was a decree in Chancery in the 10th of Elizabeth, 1568, and another in the 40th of Elizabeth, 1598, by extracts from which it appears these expressions are invariably used, “this was founded for the relief of the master of the said hospital and the poor there,” meaning at Spital, of which there is not one person to take the benefit, therefore Mr. Prettyman gives it to some other poor people; there is not a poor person to receive it “for the relief of the master who is to be a priest,” it is so directed, “and the poor there.”

(*To the Rev. Mr. Prettyman.*) Is there a parish of Spital?—Certainly there is.

Are there no poor in the whole parish?—I believe not one; I conceive it is extra parochial; there is a chapel there, which I think myself bound to repair, and upon which two years ago I expended forty pounds. I would beg to add, that the founder, in the endowment, expressly states, that service shall be performed there once a month, which is strictly performed.

YEOVIL CHARITIES.

June 1.

Mr. George Watts, Mr. William Wilmington, and Mr. Henry Collins, were called in; and Examined.

HAVE you all been churchwardens at different times of the parish of Yeovil?—We have.

Are any of you churchwardens now?—No; in 1802 we were put in

churchwardens; and an order of the present Bishop of Bath and Wells came, desiring us to look into the charities in the town, and to place them on the boards in the church, before the 25th of March next; this was in 1803.

What followed?—In consequence of that, a person of Romsey wrote us a letter; directed to the churchwardens, to know if there were any charity school in the town; that for years past he had paid the master an annual sum, but he had not for some time past received any account whatever; and our answer was, that there had been a school there, but we knew but little or nothing about it.

In what way did you cease to be churchwardens?—In 1813, owing to the dispute that had arisen, and a law suit that had commenced in Chancery, respecting these charities, the trustees of the charity, as they call themselves, made a party, and bid defiance to us; the vicar of the town told me to tell the bishop, that we knew nothing of any charities, and we were not to place any upon the boards in the church.

How did you cease to be churchwardens in 1813?—Our party was almost deserted except by us three; in consequence of that, the other party got so strong, they bid us defiance, and they took the books from me, which cost me more than 50*l.* in Wells Court.

What charities do you apprehend to have been abused in Yeovil?—The whole; the church charity, the two almshouses, and the school.

Is there a foundation school in Yeovil?—Yes, founded by John Nowes.

Have you the deed of endowment?—We have a copy of the will.

Have you that copy here?—Not here; Mr. Hulme, in Russel-square, has the whole of the papers, who, I paid him 120*l.* to finish the business, and is now dead.

According to what you know of the will, what was the foundation of the school?—We have the whole manor and mansion house in the parish of Lee, near Romsey, in the county of Hants, comprising 213 acres, to the support of the school.

Have you been on the spot?—I have been over the estate.

Was there any thing else comprised in the devise besides those?—No, I believe not; he left the whole of this estate to educate and clothe forty poor boys, as the blue school in London; but by some means there was a deficiency in his will; he did not say where those boys were to be taken from; in consequence, his daughter or sister, Mrs. Ann Nowes, by a decree in chancery, founded, that ten of the boys were to be taken from Preston, twenty from Romsey, and ten from Fisherton.

Was this another school, independent of the school founded by Mr. Nowes?—No, it is all the same thing.

What right had she to do that?—This gave rise to the suit in Chancery, and it was in consequence of that, a decree was made, to the effect of leaving it to her discretion; and it was in executing that power she made the above appointment.

What was the date of the appointment?—About 1719, or from that to 1721; so much was to be given to clothe and educate the boys, so much to be given to bind the boys apprentice, and then the rest was to settle those boys in the world.

Has any farther benefaction ever been made to Nowes charity since?—Yes.

Who has made those additions?—Mr. Edward Bowker gave a field of about five acres.

Did any body else give any thing?—A person whose name I do not know, gave eleven acres; another person gave a house and orchard, at the Marsh; Mr. Gillingham, in 1713, gave 30*l.* in money; and various other

persons from that time to 1730, gave sums of money, amounting in the whole to 413*l.* 17*s.* 3*d.*

Were these monies to be laid out in land?—We do not know; in 1711 Frances Cheeseman gave 150*l.* bank stock, and in 1730, Thomas Cheeseman gave 5*l.* a year more; the bank stock given in 1711, was not called for till 1786.

What is the estate at Romsey let for a year?—I do not know, but I think it is worth more than I have valued it at.

What do you value it at?—532*l.* a year.

Are you acquainted with the value of land?—I have been steward for twenty-one years to Colonel Prose of Somersetshire.

Do you believe that to be under or over the mark?—I would give over that for it.

What do you believe the value of the several houses here mentioned to be?—According to the best account I could get, they were worth 50*l.* a year.

Are those valuations exclusive of the mansion house and timber sold in 1808, as appears by this paper?—Yes.

What became of the 1,285*l.* got for that?—God knows.

Under what authority was the sale effected?—It was sold by auction, as I understand.

By whose authority?—I suppose by the trustees.

Was any order of the Court of Chancery made?—No, not that I know.

What is the value of the field called Bear's Close?—Fifteen pounds a year.

What is the value of Copse Hall?—Twenty-two pounds a year.

What is the value of the house and orchard at Marsh?—I suppose about 20*l.* a year.

To Mr. Collins.] Do you agree in the valuation made?—Yes, as far as I know.

Do you know the Yeovil estate only, or the Romsey estate also?—The Yeovil estate only.

Do you know the value of land?—Yes.

Are you a considerable proprietor of land?—Yes.

To Mr. Watts.] According to your estimate, then, is the annual income of the school about 700*l.* including the interest of the proceeds of the sale in 1808, the interest, and interest money of the 413*l.* 17*s.* 3*d.*?—Yes.

How many scholars are taught now at this school so endowed?—I do not know; I have not interfered since they took the books from me.

How many were taught in 1813, when you ceased to be churchwarden?—There might be seven or eight; I do not exactly know.

How many boys were there in 1802?—None that I know; when the boys were there, they paid the master for pens and ink, and things of that kind, of which I have here the receipts.

Who at that time pocketed the money of this estate?—God knows; I do not.

Who were the trustees in 1812?—The following gentlemen, to the best of my knowledge, call themselves trustees: John Hooper, William Phillips, the vicar; John Goodford; John Hitchings; Thomas Tomkins, the curate; William Hilyar; John Newmans; James Parsons; William Lambert White; Sir William Heathcott; Richard Figes; Sir Thomas Heathcott; Sir Charles Mills; but Mr. Figes had the whole management of the Romsey estates, as he told me.

Who is Mr. Figes?—He was the person who had the management of the lands at Romsey for the schools, and he wrote a letter, asking me, whether there was any schoolmaster at Yeovil, for which he had always paid him for clothing and educating ten boys.

Who was Mr. Figes?—I believe he was an old schoolmaster, and was a sort of justice's clerk.

In what manner had he got possession of this trust?—Some how or other; but when I went there the charity was nearly as badly off as it was at Yeovil; and the churchwarden at Romsey knew nothing of the charity; he said sometimes there was a boy had a coat, and sometimes nothing.

Did you find any school at Romsey?—Yes; but almost as bad as it was at Yeovil.

When you examined the estates, the manors, house down, at Lee, whom did you find the rent was paid to?—Mr. Tubb was Sir William Heathcott's surveyor; I do not know who received the rents.

What is he?—He was a land surveyor at Fisherton, near Salisbury.

To whom was the land let in 1812?—To different tenants, as specified by Mr. Tubb, with the map of the estate.

To whom do those tenants pay their rents?—I cannot pretend to say.

Did you ask any one tenant to whom they paid their rents?—Old Figes used to receive the rents, as he told me; he is dead now.

What did Old Figes do with the rent?—He used to pay a certain sum to a schoolmaster at Yeovil.

What did he do with the rest and residue?—God knows; many of the parents of the boys have told me, they had nothing to bind them out, nor settle them in the world.

Did you ever hear of any thing being given by Old Figes to bind a boy out?—Yes, to bind a boy out, but never to settle him. There was one bound to Mr. Collins, but Mr. Collins never had any thing with him.

What does he give for binding a boy?—Five pounds.

Do you know what rent was actually paid by these tenants in 1812?—I do not know.

How long is it since Old Figes departed this life?—I do not know.

How long is it since you have seen him?—Not lately; not for several years.

Who succeeded him in the trust?—God knows.

Who receives the rents?—I do not know.

What has become of the school at Yeovil?—It is a little better now than it was.

How many boys are there?—I do not know; but the school is kept in a very bad manner.

What is the population of Yeovil?—About four or five thousand.

Mr. Collins.] I remember when there were about thirty boys.

To Mr. Watts.] Have you any notion now who is the trustee or pretended trustee, to receive the rents?—They are altogether connected with the whole charities.

Does Thomas Tomkin receive any rent?—He is master of the school, and holds some of the land.

Was Old Figes the master of the school in his day?—No, he lived at Romsey; Mr. Tomkins was—

Was he master there?—No; he was the manager of the estate.

Who is the manager of that estate now?—I do not know.

Does Mr. Tomkins occupy the fields of the Yeovil estate?—One field

of the charity, and one of the fields of the almshouses. He was the master of the almshouses for years.

What is the value of the estate belonging to the almshouses?—About 506*l.* a year; but there was some acres of land lost, which reduced it.

In whose hands are the rents for the almshouses?—The same trustees; they are all one concern.

How many are maintained at the almshouses out of these rents?—There used to be only three or four, but now there is the proper number, which is twelve, six of each sex; but the rules not complied with as ordered.

Is five hundred and odd pounds spent upon these almshouses?—No, nor yet two hundred, I should suppose.

Who pockets the residue?—God knows.

How many are there in the poor almshouses?—Four.

How many ought there to be?—Nobody knows any thing about it, that I know.

Do you ever remember more than four in it?—No.

What is the revenue of that almshouse?—About 642*l.* to the best of my knowledge.

Who pockets the residue of that?—There were persons calling themselves portreeves and burgesses, four in number, Thomas Shorland, George Wellington, Thomas Andrews, and John Greenham; one of them is dead, Shorland.

Do they call themselves portreeves?—George Wellington does, and the other two call themselves burgesses of Yeovil.

Have they the charter?—I believe it is lost, as I have heard.

Do those persons pretend to have a right to the management of this charity?—Yes, they manage the whole, and pay the poor women.

Do they manage both Woburn almshouses and the poor almshouses?—No, John Greenham and others has got the Woburn house, but the three together only manage the poor almshouse, Wellington, Greenham, and Andrews.

Do they pocket the surplus of the 642*l.* after paying the four old women?—Some years since the paupers that went through the town, poor sailors, or any other poor person, went to the portreeve and received a certain sum of money to pass, and there was a pump in the middle of the town, whereon there was an iron ladle for them to drink out of, as they passed on. That pump has been taken up by Mr. Shorland, and sold; there is no such thing now standing; they gave their answer in, that they were to lay out the money for the good of the poor, but I have never known that done.

Do those four old women who receive relief from the poor almshouse, receive parish relief also?—They do from two to three shillings a week each.

Do you know, of your own knowledge, that they receive any thing at all from the portreeve and burgesses?—They receive one shilling a week between them, and on certain days they receive compensations, 1*s.* 6*d.* on St. Thomas's day, 1*s.* 6*d.* on Christmas day, 1*s.* 6*d.* at Easter, and 1*s.* 6*d.* at Whitsuntide.

To what uses were the funds of Woburn charity originally destined?—Here are the orders and statutes, confirmed by letters patent of Edward the Fourth, dated November 9th, 1476, and the 16th year of his reign.

[They were delivered in and read, as follows.]

ORDERS and STATUTES extracted out of the Writing belonging to the Almshouse in Yeovil, confirmed by Letters Patent of Edward IV., bearing date November the ninth, in the sixteenth year of his reign, one thousand four hundred and seventy-six. (1476.)

I. Imprimis, That an almshouse, one custos, two wardens, and twelve poor people of both kinds, by equal portions of number (or eight at least) always living sole and chaste, not leprous of evil, do pray for ever in a chapel builded to the honor of Saint George and Saint Christopher, the blessed martyrs, or in the parish church of Yeovil, &c.

II. That these be called the custos, warden and almshouse of William Wobourn, late minor canon of the cathedral church of Saint Paul in London.

III. That the custos, wardens and poor of the said almshouse, and their successors for ever (being chosen custos, wardens and poor of the said almshouse) shall be one body and one commonalty for ever, in substance and name, and shall be able persons in law, and may purchase, obtain and receive, &c. whatsoever lands or other profits shall be sold, bequeathed, given, assigned, &c. may plead and be impleaded, prosecute all manner of suits, quarrels, causes, and defend, &c.

IV. That every year the custos and wardens continually be changed within fifteen days after Easter, being to be chosen by five or seven of the honestest and discreetest men of the parish of Yeovil, to be nominated by the custos and wardens then being, and he so chosen into the custosship, and they so chosen into the wardenship, shall take their oath before the residue of the men then present, to all and singular things which do pertain to their office in that part to be done; and if it happens the said custos, or any of the wardens, shall depart thence or die in the year in which they are chosen, he or they which live and remain (with the consent of five or seven of the honestest and discreetest men of the said parish, and with the consent and assent of the poor of the said almshouse, within fifteen days after their departure) choose in the stead of the departed, the remaining part of the year, and they so chosen to take oath as abovesaid.

V. That when any one of the poor depart, die or be removed by the custos or wardens for ill behaviour (being first three times warned by the custos or wardens) that one other man or woman be by the custos or wardens, within fifteen days, placed in the stead of the departed dead or removed.

VI. That the commemoration of the founders, and all their relations of note, be celebrated in the church of Yeovil on the eighth day of the calends of January, being the day of the Conversion of Saint Paul, (Jan. 25,) at which time a dole is to be made in the church of Yeovil as followeth, viz. to the vicar twelvecence; to every one of the nine chaplains then present, sixpence; to every clerk of the church, fourpence; to every one of the boys serving in the quire, one penny; to the custos of the almshouse, sixpence; to every warden of the house, sixpence; and for two new wax candles then to be burning, at least two pound of wax, to the sustentation of the said church, two shillings; to the priest reciting the names of the benefactors in the pulpit every Sunday (as the custom is) yearly, sixteen-

pence; to the poor, being present, and sick, absent, in distribution of bread, seven shillings; to the ringers, eightpence; to the bells to be rung, sixpence; to the criers, reciting the names of the benefactors through the town, fourpence.

VII. Also one other alms, to be made for ever in the church, at the procession on (July 22,) the day of Saint Mary Magdalen, viz. to the vicar, twopence; to the nine chaplains then present, every one a penny; to every clerk of the church, a penny; to the seven boys administering the quire, every one a penny; to the custos a penny; to the two wardens of the house, twopence; to the bells, sixpence; to the ringers, sixpence; to the crier of the town, a penny.

VIII. Also one other dole every year for ever on (Oct. 21,) the day of the Eleven Thousand Virgins, viz. to the vicar twopence; to every one of the nine chaplains then present, a penny; to every clerk of the church, a penny; to the seven boys administering in the quire, every one a penny; to the custos of the house, a penny; to the two wardens, twopence; to the bells, sixpence; to the ringers, sixpence; to the crier, one penny.

IX. Also that one other dole be made for ever in the same church, at the procession on (Nov. 25,) the day of Saint Catherine the Virgin, viz. to the vicar doing his office, twopence; to the nine chaplains there present, every one a penny; to every of the seven boys ministering in the quire, a penny; to the custos, a penny; to the wardens, twopence; to the bells, sixpence; to the ringers, sixpence; the crier, a penny.

X. That five shillings, and the portions of all them that be absent, be distributed every year on Shrove Thursday, in bread to the poor present, and sick absent, of the said parish. See figure twenty-fourth following.

XI. That the custos and wardens do make a brotherden of the parishioners of the said church of Yeovil, and of others that of their own devotion will be of the said fraternity or society, to provide within themselves for the sufficient sustentation of the poor aforesaid, and for the sustentation of other charges of the poor of the said almshouse; and that the said custos and wardens for the time being have the rule and government of the said society.

XII. That immediately after the custos and wardens are chosen, and have made corporal oath as abovesaid, before they meddle or take any administration in the same, they make a faithful inventory in full of all the goods of the same house and fraternity or society, in the name of their election there found, given and bequeathed, with the advisement of the custos and wardens aforesaid, in the presence of five or seven men as aforesaid, and others that list to be there.

XIII. And at the end of the year, viz. within fifteen days after Easter, the same custos and wardens for the time being do for ever yield and make a lawful accompt of all their receipts, their expences lawfully bestowed, and of the goods and ornaments to the same house appertaining, before five or seven men as aforesaid, and others of the same parish that will be present.

XIV. That the custos and wardens have one common coffer, in the which coffer shall be the common seal of the said almshouse, and the letters patent aforesaid, and all other writings and muniment rolls of accompts, and the treasury of the said almshouse, and other things which shall be thought good, to the custos and wardens for the time being; which coffer shall be put in a secret and sure place, and to the said coffer shall be three keys, with divers wards, one key for the custos, and for each warden one.

XV. That the custos, wardens, and twelve or eight poor, and their successors, shall have to the value of ten markes by the year above all charges and expenses, viz. obits, processions, reparations and quit rents, or annual rents, which of our Lord King be not holden to support and bear all charges above specified; and the residue of the said ten markes, if any be above the said ten markes or charges, be always employed to the sustination of the poor of the said almshouse for the time being.

XVI. That if the custos and wardens do foresee, and cause that all the statutes and ordinances aforesaid, and all their articles according to the strength, form and effect of these presents be observed and kept, that then the said custos and wardens have and take yearly, for their labour in that behalf, six shillings, viz. each one two shillings.

XVII. That if the custos and wardens make default herein by any means, then that the aforesaid power of the house for the time being do take the six shillings between them, equally divided, as oft as the said custos and wardens shall make default, &c.

XVIII. That it shall not be lawful for the custos, wardens or poor, to remit, release, exchange, permute, or any otherwise to alienate the lands, tenements, rents and services, or any part or parcel lying in Okeford Fitzpaine, or anywise to the said almshouse pertaining, not to let ferme above seven years; and that if aught be done contrary to this statute, it be utterly void.

XIX. That each of the twelve or eight poor have weekly, on the Sunday before high noon, by the hand of the custos or his assigns, and of the wardens, three-pence for each of the poor, (and above, when ability of the said almshouse shall thereto suffice,) besides their chambers and beds, all things being deducted, according to the discretion of five or seven of the good men of the same parish.

XX. That for more surety, one of the poor that is of strongest body, with the custos and his assigns, or the wardens, do yearly, within fifteen days after Michaelmas, survey and oversee their lands in Okeford Fitzpaine, to be rooted, cleansed, and rid by the farmers from thorns, brambles, and other hurtful things growing upon the same, and other defaults of hedges, ways, paths and ditches, to be amended.

XXI. That there be planted yearly continually by the farmers, twenty or thirty oaken plants in the hedges of the said lands, where most need should be requisite.

XXII. That every of the poor shall wear continually on his breast a red cross, in memory of Saint George the Martyr, signed and sealed by John Wobourn, brother to the said William, and by Richard Huet, chaplains, in a writing tripartite indentia yeaven at Okeford Fitzpaine, anno dom. annoq. Edward 4th, 17th.

XXIII. And further, by way of amplifying the obits and processional days aforesaid, that there be assigned to the portreeve of Yeovil, being personally at the obits aforesaid, one shilling; to the bailey of the said town sixpence; to every warden of the said house, fourpence; also to the aforesaid portreeve, for every processional day, twopence; to the bailey of the said town, one penny; to every clerk of the said church, one penny; to every warden of the said church, one penny, &c.

XXIV. And that the portions of all them that be absent be put to the five shillings, as in Sheere Thursday aforesaid, and for ever be

amplified and distributed to the poor of the said parish the present and to the sick absent. (See figure tenth above.)

XXV. And that there be assigned to five or seven of the best and discreetest of the parish, as well at the election as at the accompt of the officers of the said almshouse, being for their drinking at the said house, eight-pence.

These orders and statutes are, by Mr. John Beal, vicar of Yeovil, rector of Soch Denyse, and sometimes follower of King's College, in Cambridge, extracted out of the translated copy of one of the tripartite indentures, which is attested by A. Maynard, to agree with the writing indented, lying in the vestry of the Monks of Montacute, and with the writing indenture lying in the coffin of the bishop of Baldoc, in the chapple of Saint George, in Paul's, at London. The founders herein chiefly commemorated, and by their hand and deed acknowledged, are John Wobourn and Richard Huet, chaplains, encouraged by the bounty and example of William Wobourn, minor canon of St. Paul's, London.

The persons chiefly commended to the prayers of the almshouse, according to the custom of those times, as foiloweth, viz.

For William Wobourn, minor canon of Paul's; John Wobourn and Richard Huet, chaplains of Yeovil; and Lady Eleanor Poynings, widow, countess of Northumberland, founders.

For Mr. Ralph Baldoe and Mr. John Chesheed, ancestors of the said John Wobourn; Henry Percy, Earl of Northumberland, late husband of the said Eleanor Lady Poynings, &c.

For Henry Percy, then Earl of Northumberland, and Matly his wife; William Downley, Earl of Arundell, brother of the said Lady Eleanor; Henry Wobourn, and Margaret his wife, parents of the said William and John; Sir Thomas Harling, late parson of Yeovil.

For the Lord Richard Poynings, and Eleanor his wife: of the said Lady Poynings; Mr. Nicholas Lyet, and Elizabeth his wife; Thomas Hilling, and Agnes his wife.

For Mr. Raynold Kentwood; Mr. John Cole; Sir John Suell; Sir Thomas Darnet.

The Founders principally to be commemorated are:—

John Wobourn and Richard Huet, chaplains of Yeovil, encouraged by the county, and good; William Wobourn, minor canon of Saint Paul's, in London.

And it is to be called the almshouse of William Wobourn.

Anno Dom. 1662.

There is here a prohibition to let for any term above seven years. Is that statute disregarded?—Yes; here is an advertisement by a Mr. White, an attorney, offering two lots; one for the remainder of a term of four score and nineteen years, determinable on two lives, the other for a term of fourscore and nineteen years, determinable on three lives. The first of these belongs to the poor almshouse; the second belongs to Wobourn's.

Have you the statutes of the poor almshouse?—No.

Do you know whether that statute of that almshouse has any prohibition of leasing?—I believe the foundations of all the church charity and almshouses are destroyed. We went to one of the trustee's house after he was in office, about some church lands, and inquired of him,

whose father was the clerk of the town, some years before an attorney, and he said he was very sorry, but since his father's death he had burnt a great many writings, which might have been of some use to the town; and we understood by the servant, they were things belonging to the old charity. They were burnt about 1800; therefore I do not think the Committee will find any foundations for any of the charities except Wobourne's.

Are the custos, wardens and poor of the said house, made a corporation by this statute?—They are.

Have you any other deeds belonging to the corporation?—No, I have not.

In whose name are the leases granted?—They are granted by the custos and wardens.

To whom is the rent paid?—We know nothing at all of that, it being all kept secret.

To whom does the statute give the residue?—Entirely to the poor, I believe.

Are there any other charities besides those you have mentioned?—There is a fourth, the church lands.

What is the value of those?—I would give 150*l.* a year for them, if the houses were built up.

Who receives the rent?—I believe nobody; the churchwardens receive about 2*l.* 1*s.* 4*d.* yearly.

In whose occupation are those premises?—Mr. Messiter, an attorney, told me he bought the interest of the house at Shaston for sixty pounds, of the trustees.

To whom did he pay the money?—He said to the trustees.

Who are they?—I believe John Hooper, Thomas Tomkins, William Helyar, John Newman, and others.

Do you know any thing of the other premises?—I do.

In whose occupation are they?—Mr. Tomkins received the rent, and gave a receipt as almshouse property for some.

In whose occupation is the house in Grove-lane?—Jennings; but it is in a bad state.

In whose occupation is the house, shop and warehouse?—Mr. Peter Daniel.

What does he pay?—1*l.* 3*s.* per year.

What is its worth?—I have set it down, in the paper before the Committee, at eighty pounds; it may be worth a hundred.

The land where six houses stood, in whose occupation is that?—In nobody's. The trustees, as they call themselves, let the houses fall down.

The north aisle, in whose occupation is that?—Mr. Harbin.

A cellar and barn, in whose occupation is that?—The cellar appears to have been leased out to a person who was a trustee, with other premises, in 1778, on a consideration of thirty pounds, which was never accounted to the town, as I believe.

What was it worth?—The barn about 4*l.* or 5*l.* a year; it belongs to the premises above, at 80*l.* a year. The reserved rent was twenty-three shillings, as above.

Who was the lessor?—Edward Phillips and others, as feoffees and trustees of the estate.

Who were the lessees?—Mr. Seward was the lessee of the cellar.

And do any of these trustees let leases to themselves?—Mr. Dunn leased out a great deal of the almshouse to himself, and paid little or no fines.

What rent did he lease it for?—Ten shillings, and it was worth twenty pounds.

Did those trustees of those four charities, being almost all the same persons, lease to each other?—Some of them; Mr. Greenham has got two or three of those things; Mr. Penny has got some of the almshouse land.

Is Mr. Greenham a trustee of the charity of which he has a lease?—He calls himself a custos or warden of the almshouse.

Is Mr. Penny?—He is a churchwarden, and he holds some of the portreeve land and some of the almshouse land.

Mr. Greenham is a burgess?—Yes; he says he is.

What lease has he?—He has some land of the poor almshouse, I believe.

What does he pay?—Very trifling, I believe.

Is he a trustee of the poor almshouse?—He calls himself a burgess.

Is he a trustee of the Wobourn almshouse?—He calls himself a custos or warden, and has, with others, leased out house, &c.

What are the uses to which the church lands were destined?—For beautifying the church, as we understood.

Is the church beautified accordingly?—I received, as churchwarden, money, 2*l.* 1*s.* 4*d.* and the land is estimated at 150*l.*

Did you go into the court of Chancery soon after the year 1802?—We instituted proceedings there in 1804.

How long were you in Chancery?—We are not out yet; we have paid twelve or thirteen hundred pounds, and only received about three hundred from the town.

Have you found that court afford you relief?—Oh, it has ruined me.

Have you found the expenses heavy?—Oh, good God, I have wished myself out of the world a thousand times since I have got into it; it has entirely ruined me; I had a nice business, which brought me in four or five hundred a year, which it has ruined; and I have now a wife and family.

To Mr. Welmington.] Have you suffered anything in this court?—My heart is almost broken; indeed my nerves are so shook by the losses I have sustained by this proceeding, that I scarcely know what I am speaking of, and I have a wife and eight children; it is the most grievous thing to me I have ever known; I was a churchwarden only two years.

To Mr. Collins.] What have you found the court of Chancery to be?—It has cost me about 500*l.* and I am afraid I do not know the worst of it yet; I suppose the other party will bring in a bill against us.

To Mr. Watts.] By whose desire did you institute the proceedings?—By an order of the vestry, dated 24th April, 1804, to the following effect: "At a vestry duly called and held, we whose names are hereunto signed, do order and authorize the churchwardens to call upon the occupiers of the church lands, and every other person whom it might concern, for payment of the rents and arrears thereof, and on nonpayment, to sue any person or persons for the said rents and arrears thereof; and also to request of the trustees of the church lands, or any other person, to produce to them all deeds and writings relative thereto for their information; and further, to prosecute any suits, to the maintaining and re-establishing the charity and rights of this town; and we hereby authorize and empower the said churchwardens to reimburse themselves all costs and expenses attending this business aforesaid by rates. As witness our hands this 24th April, 1804." Signed by fourteen principal inhabitants of the town. This was a meeting held

after many different vestries had been called on the subject. The reason of this was, that Mr. Phillips, the vicar, promised to meet the vestry three weeks before on that day; and instead of his coming, he sent a note by his curate, Mr. Tomkins, to say, the gentlemen that had any books, deeds or writings relative to the charities, were to withhold them; and if the town and churchwardens were not satisfied, there was a court to apply to.

Is it, according to your estimate, estates, some in hand, and some on leases, to the amount of upwards of 2000*l.* a year, that ought to be applied to four charitable purposes in Yeovil?—Yes, I know the property well; I have been over it and seen it several times, and I have no doubt of that being about the valuation, was it not leased out, or more.

How came you to be so much money out of pocket, and that you have not reimbursed yourself out of the rate?—Many of the trustees would not pay a farthing.

Have you any means of reimbursing yourself?—Only by the court of Chancery; the parish is in our debt about 523*l.*, as on the church book.

Have you ever levied a rate for it?—They will not grant any thing.

Do you mean to say, that you having been ousted of your place as churchwarden by the opposite party, in consequence, as you represent, of having taken part in these inquiries, they being in possession of the offices, refuse to levy a rate to reimburse you?—Yes.

Might you not have brought your action against your successors of the parish generally?—Yes, but what can we do; we have no money to go to law with, we have spent so much already.

Do you mean to represent, that having found the court of Chancery so expensive, you were unwilling to go to further expense?—We cannot go further; we have dropped every thing. There was a man who promised to pay his share, amounting to fifty pounds of that 500*l.*; I went to law with him; it came on at the last assizes, and it cost me nearly 200*l.*

Did you recover the fifty pounds?—No, they said it could not be done, because it was not out of Chancery.

How much has it cost you altogether for your proceedings in Chancery and at law?—About 1,200*l.*, besides our trouble and travelling expenses, and about 200*l.* at the assizes the other day.

For this 1,400*l.* and upwards, what have you gained for the charity?—It is almost as bad as ever it was. There is little or no difference, and we suppose, have got our opponents to pay likewise.

How long have you been in the court of Chancery?—Ever since 1805; it is complete ruination; it is worse now than ever it was, as the attorney employed is dead.

Is the case heard, and does it stand for judgment; is it ready to be decided?—It is in no state at all, that we know of; it is not two-pence better than it was at first.

Were there any other falls of timber, besides that in 1808?—Yes, at the alms-house. I was up there to look at it some time ago. The will of the founder requires that it shall be entitled “Wobourn Almshouse;” and I saw upon the door an inscription, “This almshouse was taken down and new built, at the expense of Mr. Henry Dunn, of Yeovil.”

Does he undertake the management of the funds?—He did at that time.

Was he himself in the occupation of the lands?—He leased out lands and some premises to himself, without small or no fines whatever.

At what rents?—Some at ten shillings a year; some more, some less, as I before stated.

Samborne's Charity, founded 22d Edward III, endowed with Seven Messuages, and Thirty Acres of Land, in Yeovil, Kingston, and Marsh.

15 Edw. IV.—In 1476, John Wobourne founded and endowed an almshouse for one custos, a master, two wardens, and twelve poor people of both sexes, and in 1477 settled on the said foundation, 128 acres of land:, ar:, mead:, and past:, lying in Okeford Fitzpain, for support of said poor, and maintenance of a chaplain to perform service every day in a chapel erected for their use.

17 Edw. IV.—Thomas Bartlett, vicar of Yeovil, and others conferred 14 messuages and 21 acres of land in Yeovil, Ashington, Kingston, and Henford, all held under the abbot of Sion, on the above institution, and confirmed by Edward the Fourth.

In the year 1619, a suit in Chancery was commenced by the poor of Yeovil against Francis Sutton and others, for demising and selling sundry parcels of land belonging to the almshouse, considerably under their known real value, to the injury of the said charity; on a hearing of the case, the Lord Chancellor ordered a commission to the bishop of Bath and Wells, and Dr. Hassey, one of the masters in chancery, who passed a decree;

1st. That the tenants and custos of the said almshouse negligence was inexcusable, and that they should pay ten pounds to the poor of the said almshouse.

2d. That for a fuller amends unto the poor people, the tenants who had taken leases for longer terms than the statute made for hospitals permit, should surrender the same.

And 3dly. That from henceforth they should let no leases for longer terms than the charter for their foundation and the laws of the land permitted.

Which being certified by the said commissioners, the Lord Chancellor confirmed the same.

The rules and orders are by Mr. John Beal, vicar of Yeovil, rector of Sock Dennis, and sometimes fellow of King's College, in Cambridge, extracted out of the translated copy of one of the tripartite indentures, which is attested by A. Maynard, to agree with the writing indented, lying in the vestry of the Monks of Montacuto, and with the writings indented, lying in the coffer of the bishop Baldock, in the chapel of Saint George, at Paul's, in London.

CROYDON CHARITIES.

June 6.

Mr. William Dutton Harding, called in; and Examined.

You reside at Croydon in Surrey?—Yes.

Have you had occasion to inquire there into the state of charitable funds in that parish?—Yes; the last eight years I have had little or nothing else to employ me.

Are the funds considerable if well managed?—There appears to be about 300*l.* a year coming in to the parish funds, but not appropriated to the poor, except about fifty or sixty pounds worth of bread on new year's day; there is an hospital founded by archbishop Parker; these are the ordinances of it.

Is there any thing besides this hospital?—There is another school of archbishop Tennyson, established in the year 1714; I do not know much about that, but the funds are considerable; and they have made some alteration, and they took archbishop Laud's, a farm at Home in Surrey, and appropriated it to the other charity, which is to bind out poor boys apprentice, not to teach the free school.

Is there any other?—Yes, there is another almshouse for seven poor people, as to which I have been in Chancery, there is the constitution altered by bishop Parker.

Can you give the Committee any idea of the total real value of those charitable funds?—Here is a statement, entitled, "An Abstract of the Estates belonging to the Hospital of the Holy Trinity in Croydon, on the foundation of archbishop Whitgift," from which it appears that the rental of 1812 was 336*l.* 7*s.* 9½*d.*; that the new rental in 1818 is 860*l.* 4*s.* 1½*d.*; but that the real annual value of the estates, surveyed by Mr. John Middleton of Lambeth, a land surveyor of great eminence, amounts to 2,673*l.* 2*s.* 6*d.* I have it in his own hand-writing.

[The witness delivered it in; and it was read.]

CROYDON CHARITIES.

AN ABSTRACT OF THE ESTATES

Belonging to the Hospital of the Holy Trinity in Croydon, of the Foundation of *John Whitgift*, Archbishop of Canterbury.

NAMES OF THE TENANTS, and DESCRIPTION OF PREMISES.	Old Rental, 1812.			New Rental, 1818.			Annual Value of the Estates, by J. Middleton, Lambeth.
	£.	s.	d.	£.	s.	d.	
The hospital, chapel, yards, &c. - - - - -	Free.			Free.			- - -
Reverend Bisset, schoolmaster's house, &c. - -	-	-	-	-	-	-	70 - -
- Do. - land, 1 A. 1 R. 25 P. - - - - -	-	-	-	10	-	-	10 - -
Mrs. Malton, house and garden - - - - -	4	10	7½	35	-	-	45 - -
Mr. Hutson, farm, cottages, and land, 182 A. 3 R. 23 P. - - - - -	50	3	¼	274	-	-	298 - -
R. Osborn, 10 houses, yards, garden and allotment	4	12	4	60	-	-	80 - -
S. Scott, 2 houses and gardens - - - - -	6	10	2	20	-	-	75 - -
J. Waddington, 3 houses, &c. - - - - -	5	6	10	30	-	-	55 - -
J. Mann, 2 houses and land, 4 A. 2 R. 37 P. - -	7	17	1	27	-	-	66 - -
J. Streeter, part of a house and land - - - - -	2	12	6	10	-	-	13 10 -
W. Chatfield, cottage, stables, &c. at turnpike -	-	10	-	5	5	-	45 - -
General Grose, land, 0 A. 3 R. 19 P. - - - - -	-	-	-	4	-	-	4 - -
R. Blumsum, house and garden, 37 P. - - - - -	-	6	5	10	-	-	17 - -
J. Dunkley and R. Howes, 3 houses, Northampton	11	9	11	25	-	-	85 - -
* H. E. D. Radcliffe, house and land, 96 A. 2 R. 30 P. - - - - -	22	9	10	130	-	-	195 - -
T. Penfold, house and garden, George-street - -	3	16	8	3	16	8	48 - -
A. Harman, Swan Inn, and allotments, 0 A. 3 R. 9 P.	6	13	10	6	13	10	32 - -
A. Adair, 2 houses, gardens, &c. George-street -	13	1	1½	13	1	1½	92 - -
- Do. - land, 75 A. 0 R. 33 P. and Fox and Goose	21	6	10½	21	6	10½	186 - -
T. Meager, Croham Manor farm, 342 A. 3 R. 23 P.	42	6	6	42	6	6	542 - -
R. Bidge, Biggin farm, Norwood 90 A. 0 R. 0 P. -	17	5	-	17	5	-	339 - -
T. Blake, 6 houses in Church-street - - - - -	8	18	3	8	18	3	85 - -
Mrs. Lewen, 2 houses and gardens at North End -	6	14	2	6	14	2	60 - -
Mrs. Turner, house, Middle-row - - - - -	-	19	6	-	19	6	11 13 6
D. Shove, 5 houses and gardens, and 4 acres al- lotment - - - - -	2	19	3	2	19	3	42 - -
G. Richardson, 6 do. and do. adjoining - - - - -	3	16	-	3	16	-	37 - -
Lady Blunt, land and allotments - - - - -	-	16	2¾	-	16	2¾	12 5 -
W. Cole, Land at Croham Hurst, 8 A. - - - - -	-	7	8½	-	7	8½	5 - -
J. Brickwood, land, an allotment, 0 A. 3 R. 35 P. -	-	2	-	-	2	-	3 - -
J. Moore, house and land, Thornton Heath - -	-	2	-	-	2	-	29 - -
For a fee farm rent, No. 19, St. Paul's Church- yard - - - - -	6	13	4	6	13	4	6 13 4
J. Moore, a farm at Mitcham, 48 A. 2 R. 0 P. - -	57	-	-	57	-	-	57 - -
Dividends or interest of 901 <i>l.</i> 3 <i>s.</i> 9 <i>d.</i> 3 per cents.	27	-	8	27	-	8	27 - 8
	£.	336	7 9¾				2673 2 6
Rental increased during the present warden's time		523	16 3½				
Total £.		860	4 1¼		860	4 1¼	

* The Rent now offered by the tenant.

Who employed Mr. Middleton?—I got him his birth as surveyor to the hospital.

Was he a regular surveyor employed by the hospital, by the officers?—Yes, appointed under their hand and seal.

How do you account for the lands being let so much under their real value?—They were let formerly at what they call twenty-one years lease, renewable every seven years, upon a fine.

What fine is taken upon the present renewals?—We have abated from that plan, and let twenty-one years leases at rack rents, and that causes the alteration.

Before the alteration what was the amount of the fine?—Various sums were taken.

Had you ever any proceedings relative to these matters, at law?—Yes, we had; the Reverend Dr. John Rose was schoolmaster from 1801 to 1811; we were a long time before we could get the Archbishop to dismiss him, which we were desirous of, on account of his having received fines, and not brought them to account.

How much did it appear he had received, without bringing to account?—We did not know at that time, but it is now ascertained, by the trial in the action which we brought against him, that 480*l.* 7*s.* 7*d.* had been so appropriated by him, which sum we recovered in damages.

Did it appear, that there was any other sum he had appropriated, besides this?—Yes; we have since recovered some.

To what amount?—We do not know; the parties refuse to tell us.

What were the fair emoluments of the schoolmaster altogether?—He has a house and premises, valued at 70*l.* a year, and 20*l.* a year for reading prayers in the chapel, and whatever the other poor brothers have; this is 20*l.* over and above their pay; they had about 3*s.* 4*d.* a week when I began with them; I have now got them up to 8*s.* besides 25*s.* every quarter day.

What became of the overplus of the funds?—We keep paying them up now; they have all the money that is coming in, which is about 12*s.* a week, but we shall have more soon; they were let in reversion, and that is done away.

Hitherto, you have spoken of archbishop Whitgift's hospital; are you aware of any other poor funds, of which you can give information to the Committee?—There is another sum of money in the funds of another charity; we have extracted this from the register of memorials at the clerk of the peace office (*producing a paper.*)

What is the real property here estimated at?—Besides the landed property, there is twelve hundred and odd pounds in the funds; it was considered, if the property had been let according to the valuation of it by the parish surveyor, it would be 303*l.* 10*s.*

What is it actually let at?—We never could find out; it is impossible to say; the trustees, as they call themselves, would not give us an account, and we filed a petition under Sir Samuel Romilly's act, and they have raised the pay.

Have you any idea of what it is let at?—No, I have not.

Do you know the estates belonging to any other charities in Croydon?—Yes, there are the parish estates, which are let at 300*l.* altogether; but there are petitions in Chancery which stop it, and things are not brought forward as they should be.

What are they actually let at?—I can tell you some of them; there are 26 acres of land at New Cross, by Deptford, let at 143*l.*; they are worth 1,000*l.* they tell me now.

For what term is it let?—I believe a sixty years lease.

What fine was taken?—We do not know that.

When does it expire?—Some years to come; but they will not tell us.

Who will not tell you?—The churchwardens or governors, who bring it into their accounts; they put it into the church account.

In whose hands is the management of the charity to which those acres belong?—The money is brought forward by Mr. Drummond, solicitor of Croydon, and brought into the churchwardens account.

It belongs to the parish?—Yes, it was 1,000*l.* left by Henry Smith, Esquire, called Dog Smith, about the year 1627.

Why was he called Dog Smith?—Because he used to travel about the country with a dog.

Has Whitgift's charity a special visitor?—No.

Any governor?—No, not that I know of; I believe the parish bought that land I have just mentioned, with the money he left.

Who are the present churchwardens?—Thomas Head and Thomas Hewson.

To whom were the acres at Deptford let?—Evans was one name.

Who is possessed of the deeds relating to Whitgift's hospital?—The warden; I have them in the chest now, and Queen Elizabeth's deed of foundation.

[*The witness delivered a document, which was read.*]

It is intituled—Statutes, Constitutions and Ordinaunces devised by me *John Whitegift*, archbishop of Canterbury; founder of the hospytall of the Holye Trinity in Croydon, in the county of Surrye, and given unto them of the sayde hospitall, for the order, governemente and direction, touchinge the lands and tenements of the said hospitall, and all the members thereof.

(From a copy in the M.S. library at Lambeth, No. 275.)

The Archbishop's most noble foundation of his hospital, free school and chapel, at Croydon, was finished in the year 1599.

The following are the material passages :

ESTATES, &c. given to the Hospital :

1619. Two messuages or tenements in Northampton, given to the said hospital by the Rev. Dr. Pretherg	£.	s.	d.
- - - - -	8	6	8
A rent charge payable out of a tenement in St. Paul's Church-yard, London, given to the said hospital by Mr. Edward Barker, of	6	13	4
- - - - -			
Three-fifths of a farm at Mitcham, in Surrey*, given to the said hospital, by Ralph Snow, Esq. amounting to	*15	8	0
- - - - -			
A tenement and piece of ground in the Butcher-row, given to the said hospital, by Mr. Richard Stockdale	4	10	0
- - - - -			
A dinner yearly to the said hospital, for which the Fishmongers company, in London, pay	0	13	4
- - - - -			
And put in the box	0	10	0
- - - - -			

Cap. 1. Of the number of these that are to be mayntened in or by the hospitall.

FIRST, I do ordeyne that the number of the bretheren and sisteres of the sayde hospitall shall be ever thirtie at the least, and so many more under XL. in all, as the revenues of the sayde hospitall, accordinge

* Now (1782) supposed to be let for £. 24 a year.

to the proportion in theis ordinaunces lymitted may beare, untill all the severall roomes therein appointed for lodginge be replenished, of the which number of bretheren one shall teache a common schoole, in Croydon, in the schoolehouse there by me buylded, and performe such other duties as is appointed unto him in these ordinaunces and statuts; provided always, that the yearly sume of tenn pounds owte of the revenewes be yerely reservid for reparations, sutes in lawe, and other necessary charges, &c. over and above the proportions hereafter lymitted. Item, yf any of the places of the poore brethren or sisters aforesayde upon any occasion, shall happen to be voyde by the space of one hale monethe or more, or the place of the schoolemaster by the space of three moneths or more, or yf yt shall please God so to blesse the hospitall, as that any other overpluss of revenewe shall remayne when all the roomes as aforesayde shal be replenished, the allowance that shall be due unto suche voyde places, and suche overpluss shall be layde up and reserved safe in the common chest of the sayde hospitall, as a stocke to be imployed for repayringe, reedyfyinge, defence in lawe, or for other common charges.

Item, I ordeine and appointe that the poore brother, appointed to be the schoolmaster, shall be a parson well qualifiyede for that function; that is to saye, an honest man, learnede in the Greeke and Lattin tongues, a good versifiere in bothe the foresayde languages, and able to wryte well, (yf possible yt may bee) which poore brother appointed to that offyce, and qualified and placed as afore, shall have for his lodginge and dwellinge place, during the time that he contineweth schoolmaster, that house which I have buylded for that purpose, adjoyninge to the said hospitall, and nere unto the sayde schoolehouse, together with suche backsides and grounds as I have appointed to be annexed to the sayd house, and which the present schoolemaster nowe enjoyethe; and shall also have the some of twentye pounds yearly for his stipande, to bee payde quarterlye, together with other further comodities of corne or wood, as hereafter shal happen to be allotted to other of the poore brethren of the said hospitall. I do lykewyse ordeyne and appointe that the howse which I have builded for the sayde schoolehowse, and also the howse which I have buylded for the schoolemaster, shal be for ever imployede to that use onelye, and to no other.

Cap. 7. *Off the office of the poore brother that is appointed to be schoolemaster.*

The schoolemaster shall freelye teache suche of the children of the parishe of Croydon, without exactinge any thinge for theyre teachinge, as are of the poorer sorte, suche as shal be so accounted by the vycar or curate of Croydon, and two of the better sorte of the inhabytants in Croydon; but yet it shal be lawfull to and for the sayde schoolemaster to receave that which is voluntarily bestowde uppon him by any of the sayde poorer sorte of parishioners, and for the children of suche as be of the better sorte of the parishioners of Croydon. Yf the sayde schoolmaster shall enacte to much for theyre teechinge, or refuse to teache them, the same shall be ordered or moderated by the archbyshoppe of Canterbury for the tyme beinge.

Bothe the sayd schoolemaster and scholars shall from tyme to tyme be ordered, governed and directed by suche prescriptions and ordinaunces in all points as by me the founder of the sayde hospitall shal be in my lyfetime devised, and after by my successors archbishops of

Canterbury, so that always the saide ordinaunces of my successors be not contrarye to my ordinaunces.

Cap. 19. How the wardeine and schoolemaster shall be censured, if he or they shall be fownde to be negligente in performyng such duties as by theis ordinaunces are imposed uppon him or them.

I doe ordeine, that yf the wardeine of my sayde hospitall or schoolmaster shal be founde to be negligente in performyng the charge by these ordinaunces imposed uppon him or them, then uppon notyce thereof given to the archbyshopp of Canterburye for the tyme beinge, suche punishmente shall be inflicted upon him or them as the sayde archbishop in his dyscretion shall thinke conveniente.

Cap 21. Of the founder, visitor, and cheiffe governor of the hospitall.

It shall be lawfull for me the nowe archbishop of Canterbury, founder of the sayde hospitall, to abrogate, add unto, change, or alter theis ordinaunces, and to place or displace anie member thereof, wythe cause or without cause to be rendered thereof unto any other, to dispose of the lodgeings in and wythoute the sayde hospitall, to lett leases, and helpe to governe the same, according as shall please me, during my natural lyffe, without any other persons intermedlinge therein; after the death of me the sayde founder, then the archbishop of Canterbury for the time beinge, bye himself or other whom he shall appointe, shall have full powre and authorite, from tyme to tyme, not only to interprett any doughte arisinge out of the ordinaunces which by me the founder shal be lefte unto the hospitall, but allso shall have full power, libertye and authoritie to punishe, confine and remove anie member thereof, convicted accordinge to theis ordinaunces.

I doe ordeine that my successors archbishops of Canterbury, shall be the continewall patrons, governors and visitors of the sayde hospitall, earnestlye requestinge them (in the bowelles of Christe) to have from tyme to tyme a fatherly and compassionate care of theire good estate, and of the poore members thereof, and that they wolde be pleased from tyme to tyme (as occasion shall be offered,) to compose theyr controversies, to protecte, advise, order, governe and direct them, and when neede shall require, by themselves or bye such discrete persons as they shall thinke fitt, in personn freelye to visite the sayde hospitall, and to enquire bothe of the publique state of itt, and also of the private demeanure of every particular member thereof, by such a course as the lawes doth allowe; which visitation I wolde heartily wishe mighte at the least every third yeare be performed, whether there seeme anie necessarie occasion thereof or noe.

Jo. Cantuar.

Houses belonging to the Hospital in the year 1810.

2	tenements in High-street, held on lease by Mr. S. Scott.
2	do. near the town-hall - - do. - - Mr. H. Strudwicke.
1	do. the Swann inn - - - do. - - A. Harman, Esq.
2	do. at North End - - - do. - - Mr. M. Lewen.
11	do. adjoining - - - do. - - Mr. R. Osborne.
1	do. in George-street - - - do. - - Mrs. M. Lewen.
1	do. in do. - - - do. - - Mr. T. Penfold.

6 do. facing the palace pond	- do. - -	Mr. T. Blake.
5 do. in the Old Town	- - - do. - -	Mr. G. Richardson.
6 do. in do.	- - - do. - -	Mr. D. Shove.
1 do. at Woodside	- - - do. - -	Mr. J. Sharp.
1 do. at do.	- - - do. - -	Mr. M. Lewen.
1 do. the manor house at Croham,	do. - -	Mr. T. Meager.
1 do. called Biggin House	- do. - -	Mr. B. Ridge.

Lands belonging to the Hospital in the year 1810.

About 400 acres arable & woodland,	do. - -	Mr. T. Meager.
About 8 do. called White Pit	- do. - -	Messrs. Fly's.
About 60 do. at Addiscombe,	- do. - -	A. Adair, Esq.
About 60 do. at do.	- - - do. - -	T. Tait, Esq.
About 40 do. at do.	- - - do. - -	J. Darby, Esq.
About 200 do. at Woodside	- - do. - -	Mrs. M. Lewen.
About 3 do. at do.	- - - do. - -	Mr. J. Sharp.
About 84 do. Biggin farm	- - do. - -	Mr. B. Ridge.
A field called Clotmead	- - - do. - -	Mr. J. Mann.
A do. near do.	- - - do. - -	Mr. W. Chatfield.

The above statement of property was, after much difficulty, collected by (Mr. G. Heffer,) one of the poor brethren of the hospital.

Do you know of any other lands than those you have mentioned?—There are seven acres of land, called the Hermitage Land, at Streatham.

What does that let for?—For 35% now; that is let at its value; I went and bid all the money for the purpose: there is a farm at Stalkenden, at Linsfield.

Of how many acres does it consist?—One hundred acres.

What does it let at?—At 80%.

What is it worth?—I am not a judge; I have never seen it; that is about eight or nine miles below Croydon; there are two tenements near Mint Walk, let at a rent of 40%.

What are they worth?—Perhaps fifty or sixty pounds; there are two tenements or stables, called the Old Shops, let for 2%; I rather think they have been changed away; and we have but one stable instead of two tenements.

Who is the visitor of the hospital?—The archbishop of Canterbury.

Does he ever visit?—Yes, he has.

When did he visit last?—He appointed two other persons last Monday to visit it, not on account of the revenues, but on account of the misconduct, as they conceived, of the warden and schoolmaster; this warden I got put in; he was one of the poor brothers; he is offensive to the archbishop and to the clergy: the school is now kept open by subscription, and not according to the ordinances.

What school do you mean?—The hospital.

Do the ordinances require it to be a free school?—Yes, for such as are of the poorer, and men of the better sort.

Are they fed or clothed?—No; neither food or clothing are given; there was no school kept; government occupied it as a storehouse within my memory, till Joseph Lancaster came to Croydon, and then Dr. Ireland called a meeting of the inhabitants, and they established a school upon Bell's system.

In what year?—In the year 1812.

Was this school established by subscription?—It was.

Is it still supported by subscription?—Yes.

Does Archbishop Whitgift's hospital subscribe to it?—No.

Is the archbishop's school in existence at all?—Not at all; the

schoolmaster appointed on that establishment keeps a private school for his own emolument, and does no public duty as schoolmaster whatever.

Before, fifty years ago, used there to be a school in the hospital?—Oh, yes.

How many have you heard of being there?—The old inhabitants have heard of numbers being instructed there.

Has the archbishop, as visitor, insisted upon the school being revived?—No, but I have, and he will not do it.

What steps have you taken?—I have written to him several times formerly, and wished him to have it established upon its original foundation, as specified in the statutes; because, I said, those subscribers would die off.

What answer did his Grace give you?—He never thought proper to notice my letters.

Did the parish, at any vestry meeting, express a sense of your useful conduct in investigating these charities?—Unanimously, by a resolution of thanks, 300 being present, on the 13th May, 1818, after I had been engaged in these investigations for upwards of eight years, and undergone several suits in law and equity.

Did you experience great vexation in the course of these law proceedings?—Nothing else, besides a most respectable gentleman being maliciously indicted for perjury, for having given evidence in those inquiries, who was most honourably acquitted.

Was the dean of Westminster, Doctor Ireland, vicar of Croydon?—Yes, he was, for twenty years.

Has he any official connection with the charities?—He is trustee of the farm at Mitcham, belonging to the hospital, which he will not give up.

Is he lessee?—No, Major Moore is lessee.

Has he had any thing to do with Archbishop Whitgift's hospital?—Yes, he had for twenty years, as vicar.

June 8.

Mr. Thomas Hewson and Mr. Thomas Head called in; and Examined.

You are churchwardens of Croydon?—Mr. Hewson: Yes.

Do you know any thing of Archbishop Whitgift's foundation for a school?—We can give very little information upon that.

Is there a school there?—Yes.

A free school?—It should be a free school.

There is a school supported by voluntary contribution?—Yes.

Is there a school in Croydon upon Archbishop Whitgift's foundation?—Yes, there is a school opened, and a schoolmaster who is paid from Archbishop Whitgift's charity, 20*l.* a year, and he has a house.

How many boys does he teach on Archbishop Whitgift's foundation?—None; there are none educated but under Archbishop Tennyson's will.

Mr. Head.—I believe the reason none are taught under Archbishop Whitgift's will is, that none have applied.

Does the master teach any boys on any other foundation?—The school is opened on Dr. Bell's system.

Mr. Hewson.—There are two schools there; Mr. Bissett is appointed

schoolmaster by the society, and he has the house to live in, and the salary belonging to Archbishop Whitgift's foundation.

Who is the other schoolmaster?—I do not recollect his name; but that on Bell's plan is taught in Whitgift's schoolhouse.

Does Mr. Bisset, who has a salary from the charity, teach any scholars at all?—Yes, he does.

In what way?—I suppose as boarders; he takes in boarders.

Does he take in any free, and for nothing?—I do not think he does one.

You state, that the reason why he teaches none free, is, that none have applied?—So it is said.

Why do people in Croydon wish to be taught when they pay, and not apply to be taught for nothing?—Mr. Head. I believe the reason is from the long disuse of it; that seems to be the case.

Have people in Croydon any objection to have their children taught for nothing?—No, if they were aware that they could have them taught for nothing, they would be glad to attend to it.

Mr. Hewson.—It has been forbid in such a way, that they do not apply for it.

By whom has it been forbidden?—It has been discouraged; there has not been a school for many years.

Do you know any thing about the property of the hospital?—A little about it.

Are the lands much under-let?—Yes, I should think they are; they are let upon lease.

Do you know what is done with the overplus of the funds, after paying the expenses?—I do not know; the warden, the poor brethren, and Mr. Bisset the schoolmaster, have the management of it altogether.

What do they do with it?—I cannot say.

Mr. Head.—I believe, since an investigation has taken place, it has been applied according to the donor's will.

What is the yearly value of the estate at New Cross of 35 acres of land?—Mr. Hewson. We cannot tell; I suppose 1,000*l.* or 1,500*l.* a year; but it is let on a long lease.

Who let the lease?—The trustees.

To whom is it let?—It is let to several tenants.

When did the lease commence?—That I cannot tell.

How many years are there to run?—I do not know, but it is said that the lease is for ninety years.

Has it been let within the last twenty years?—Yes, I think it has been.

What fine was taken on letting it on lease?—That I know nothing about; the parish has lately received nothing from this estate.

Who let it?—The trust; there were twelve or thirteen when they were appointed some years ago, but very few people know who are the trustees; Mr. Drummond, of Croydon, the clerk to the trustees, will be able to give every information upon the subject.

Have you seen the printed paper which Mr. Harding produced to the Committee?—No, I do not know that I have; I have seen papers printed in Croydon, which may be those referred to.

As far as you know, do you believe them to be correct?—Yes, I believe they are.

Do they make the actual rent 336*l.* a year?—Yes.

Do they make the rent they might be let for, 2,673*l.*?—Yes.

Do they make the new rental in 1808, 860*l.*?—Yes, so far as we know; but we know very little about it; the warden could give most information upon that subject.

WELLINGBOROUGH CHARITIES.

June 6.

John Newton Goodall, Esq. called in ; and Examined.

Do you belong to Wellingborough?—Yes.

Have you attended to the estates of the charities in that place?—I have, for these last seven or eight years; I have been employed by the parish as their solicitor.

Are there many endowed charities there?—There are several.

Have they ample funds if they were well managed?—Doubtless.

In land or houses?—In land and houses, a variety of estates.

What do you estimate the annual value of those estates, as far as you can conjecture, if they were well managed?—I believe they are worth 1,000*l.* and odd; the feoffees estate was about 180*l.*; it was let by public auction at 500*l.*; but that does not solely relate to the education of children, but also to other charitable purposes mixed up with education.

Are they the same trustees in the other charities who are in the education charities?—No, distinct.

Are there the same deeds of endowment relating to both?—No, distinct.

Are they wholly unconnected?—Not exactly so; the feoffees of the town land pay to the head master and under master, a gift, I think, in order to carry on the purposes of the school, as they call it; but the other charity connected with Freeman's school emanates from Freeman's charity, that is at this time before the court; and we have put in the schemes, and settled the schemes on an excellent footing, so as to have a great many more scholars instead of clothing; that is now before the court.

What is the real rent actually received from those estates at the present time?—There is about 200*l.* from that before the court; 160*l.* the master found it worth.

Is that actually received now?—Yes.

What do you take the whole revenue actually received by those charities at Wellingborough to amount to?—I think the last time we had a meeting, I undertook to prove, that though there was only 68*l.* a year upon the benefaction board in the church, there were rents actually received belonging to the parish, to the amount of about a thousand more.

When was the board put up?—By the churchwardens and overseers, I think, 15 or 16 years ago; the rents have been raised considerably since that.

To what is the overplus of that fund appropriated?—To such uses, I believe, as the feoffees choose for the benefit of the town; but I never saw the deed.

In whose possession is the deed?—I do not know that.

Who are the feoffees?—They are gentlemen of the town of Wellingborough, but heretofore, before it was interfered in and re-let at a public auction, it used to be let to their sons and their relations.

Do any of the feoffees occupy any of the property themselves?—I believe not.

When did they cease so to do?—I believe eight or nine years ago.

Was that in consequence of your interference?—No, I believe not; but I did pledge myself that I would bring the whole upon the benefaction boards.

Are there any special visitors in the charities?—None that I know of.

Any governors?—None that I know of.

Any school?—There is a free school.

How many children are there?—I cannot say how many; but the grammar school, I believe has been a sinecure for twenty years or more until Christmas last.

What does the master receive?—I think he receives about 35*l.* from an estate at Burton, including perhaps what the feoffees give him, and he has not had a single scholar for many years until Christmas last.

In what way do the feoffees, in point of fact, dispose of the surplus for the benefit of the town?—They lay their accounts before the parish every Easter; lately they did not use to do so, but they have for some years past submitted their accounts to a meeting of the parish.

How do they employ them?—I believe by giving money away to poor people who do not receive relief.

How did they employ it before they were in the habit of making their accounts public?—I never knew; I do not believe the parish were at all informed.

How was it let?—I never heard any complaint.

Did they take beneficial leases themselves?—No; I believe not.

Have any of their families beneficial leases of the lands?—Not that I know; they were let at one time to the families and friends of the trustees, but not latterly.

When did the proceedings in the Court of Chancery commence?—I think four or five years ago.

How near to an end is it?—The master has recommended a reconciliation on the schemes, and we have nearly succeeded on our second set of schemes put in before the master.

How much money has been required to be advanced to carry these proceedings before the court?—Three hundred pounds I should think; we had an order for the payment of the taxed costs out of the charity; the churchwardens and overseers petitioned by desire of the parish.

Have you made any attempts at different times to get the accounts corrected?—I have applied to the particular trustees, who called themselves trustees of Fishers, to get the accounts corrected, but it is not pleasant to have to do these things. I have been called before a public ordeal of the parish, on the pretence that I was going to ruin the parish by expenses, and so on; but the facts bore me so out, that the parish voted me a unanimous resolution of thanks; I told them I would bear the whole expense sooner than it should be given up; the trustees are all magistrates and attend the petty sessions, where I have to meet them in the discharge of my duty; we shall now have a very good school, and a good many of them, instead of having 25 girls, whom we all clothed. The schemes which are now in, are approved by the master and the parish.

HUNTINGDON SCHOOL.

June 8.

Samuel Wells, Esq. called in ; and Examined.

You are a solicitor at Huntingdon?—Yes.

Have you had occasion to look into the state of the charities at Huntingdon?—I had occasion to look into a particular charity some years ago, St. John's hospital.

Is that a considerable charity?—A very considerable charity.

When was it founded?—In the reign of one of the Edwards, Edward the Second or Third ; it was founded by David earl of Huntingdon.

How did he endow it?—With lands and tenements in Huntingdon and its vicinity ; by an inquisition taken in the reign of Queen Elizabeth, it was found that the hospital was endowed for the purpose of a free grammar school for the town of Huntingdon.

Was that a commission for charitable uses?—Yes.

In what year was it executed?—It was a commission out of Chancery (I think not under the statute) in the 6th of Elizabeth.

What did they find the uses to be?—For founding a free grammar school for the town of Huntingdon.

Did it state the value of the estates then?—No ; but I find in Nasmith's Notitiæ Monumentæ Antiquæ, it was 37*l.* 12*s.* in the reign of Edward the Second or Third.

Have you any means of knowing the value in Elizabeth's time?—No : I filed an information in the year 1810, against the mayor, aldermen, and burgesses, at the relation of Thomas Allnutt, Esq. and others ; when I filed the information, they sent me and the relators to the Rev. Mr. Bayley, a most respectable and conscientious clergyman, to Coventry ; and one of the aldermen dismissed another of the relators, who was a tradesman, from his employ. The conduct of the corporation was infamous in this respect. The town being generally of a different way of thinking, they treated us with every possible mark of disgrace that could be ; if we had committed any crime in the town, they could not have treated us worse than we were treated.

Did the corporation then drive you to a commission?—I was under the necessity, in order to get an answer, to attach them, and to seize the mace before I could get the answer.

What did they swear by their answer, as to the rent?—They swore that it never exceeded 163*l.*

Was there a commission issued in this suit to set out the lands?—No ; with great labour and anxiety I found out the lands which the corporation had embezzled in their commons ; I filed affidavits of the value to save expense ; they took exceptions to those, because the evidence charged was not viva voce, and drove me to a commission to examine witnesses.

What did it appear the improved rent was?—791*l.* odd.

Were any parcels not set forth in the defendants answer?—Yes, a great many indeed ; we are driven to an issue next assizes.

Is the value greater or less than that, now?—To the parties themselves; they hold them themselves; there are not above two tenants out of the whole number who are not corporators.

The Committee observe, the quantity of the new pasture is 75 acres, 3 roods, and 15 perches; what is the actual rent of that?—It was 20*l.* at the time of filing the information; they have raised it to 60*l.*; and I proved under the commission that it was worth 334*l.*

Where does this lie?—Close to the town of Huntingdon.

Do you consider 334*l.* an extravagant rent?—Land equal to that was let for an equal rent, but that 75 acres is still more valuable by being added to the commons; they have added it to their commons, and that increases the privileges of a burgess; and the consequence is, that this charity has greatly aided in returning two members for the borough, for they have increased the value of their commons by it; the other burgesses have been suffered to build upon the charity estates, and retain the same as tenants at will, at rents very inferior to the value. Substantiating this inquiry has already cost me, I dare say, 1200*l.* out of my own pocket.

Is the Reverend Mr. Edwards the schoolmaster?—Yes.

How many boys does he teach?—He teaches none upon the foundation of the hospital; they have suffered him to build a large boarding-school, and chambers and other things, to make it convenient for a boarding-school; he contends he has nothing to do but to teach Latin; and then he charges them for other things.

Is there any limitation in the foundation?—No; it is for a free grammar school.

Is he a burgess?—Yes, he is.

And a voter?—Yes, he is; and they have taken out of the rents of the hospital for the mayor's feast, 30*l.* a year.

The school close is valued at 22*l.*; is any rent paid?—No, he has it with the school.

The Committee observe 14*l.* a year paid by Mr. Dawes, for that worth 40*l.*; is he a burgess?—Yes, he is a burgess, whom they have suffered to build upon this land as a tenant at will; and if he did not follow what they wished, they would turn him out, with all this money upon his head.

Upon what leases have the burgesses the property?—As tenants at will to the corporation; the hospital ought to appoint a master, in whom the estates would be vested; then the corporation are the visitors of the hospital; they are special visitors; they appointed one of their own body, namely, the mayor for the time being, always master of the hospital, and he applied 30*l.* a year towards his own entertainment; afterwards they found it necessary to proceed against one of the tenants on the question respecting some hospital land; and then they found it necessary to appoint another alderman, from whom they took a bond to resign, but he never acted; the master receives the rent up to the present time.

What is done with the rent?—That I know nothing of; the hospital was founded as well for a school as the support of poor persons who were travelling through (pilgrims and others) it is supposed to the shrine at Ely; and the corporation, instead of applying this money to the poor vagrants who come, levy constables disbursements on the inhabitants for more than the rents of this estate.

To what purpose are the 160*l.* rents applied?—They pay the schoolmaster's salary. I do not know what he has; but I suppose altogether 120*l.* a year, as they state in their answer valuing the land and the rents, and so on; he has 25*l.* a year salary.

What is done with the rest of the 163*l.*?—Thirty pounds the mayor has taken for his own entertainment, and that, with the land tax and

repairs, probably is all that there is ; there are two old women who have 18*d.* a week ; and there is a bath, but it is rarely used.

Is there any difference of opinion upon political matters, among the corporation and burgesses ?—No, not any ; they are all under the influence of Lord Sandwich.

Is there ever in the borough of Huntingdon, what is commonly termed an opposition ?—No, the right of voting has never been defined ; it has never been tried ; it is a maiden borough.

In whom does it, by reputation, exist ?—They say it is in the burgesses.

How many burgesses are there ?—About 200.

How are men admitted burgesses ?—By the mayor and aldermen ; there are twelve aldermen ; if a burgess's child is born in the borough, he is a burgess ; otherwise it is conferred by the mayor and aldermen.

Do non-resident burgesses vote ?—There has never been a contest, so that it has never been ascertained ; they claim the right of voting. It is the report of the town, that the members sent by Lord Sandwich pay the rent of the new pasture land ; indeed I have old letters proving that members were asked to pay it.

In what does Lord Sandwich's interest consist ?—In land, near the common ; when they take the stock off the common, they turn it into Lord Sandwich's land for wintering.

You mean to say, that the influence is exerted by the accommodation of that land to those burgesses who have the town common ?—Exactly so.

Does the town common belong to the charity ?—They have usurped eighty acres of it.

Does any part of the town common belong to the town itself ?—No, only to the burgesses.

To whom does the town common belong ?—To the burgesses ; but I entertain a very strong doubt upon that subject. I consider that every householder, who has cattle levant and couchant, has the right ; the burgesses claim a sort of personal right, as burgesses, in the common land, which I do not understand.

Does any part of the common belong to the hospital ?—Eighty acres they have usurped ; the corporation have laid this hospital land to their common ; they have completely laid it open, the metes and bounds have been defaced ; I have been obliged to find them out.

In what way do you conceive the appropriation or leasing or letting of the lands belonging to the charity, influences the election of the members ?—By increasing the value of their commons ; they are more desirous to have the privilege of a burgess, and being a burgess they are obliged to have Lord Sandwich's land.

How are they obliged to have Lord Sandwich's land ?—Because they could do nothing with their cattle in the winter, when their commons are shut ; but there are other burgesses who live in the centre of the town, who rent this land as tenants at will, who would be turned out, if they did not go as the aldermen chose.

Are the leases or permissions to occupy at will, granted by the mayor and aldermen ?—Yes ; all the efficient duties are performed by the mayor and aldermen, not at all by the master.

Has Lord Sandwich, or his family, anything to do with the mayor and aldermen ?—No doubt he appoints them.

How does he nominate them ?—By having the corporation in his own interest ; Lord Sandwich himself names them.

Has he himself any office in the borough ?—He is recorder.

Has he a vote as recorder ?—He can attend the counsel, but he is not eligible for recorder, for it must be a man learned in the law.

HUNTINGDON SCHOOL.

Schedule of the several Estates belonging to Saint John's Hospital.

No.	PREMISES.	TENANTS.	Quantity.			Rent set forth in the Defendants Answer.			Improved Rent.			REMARKS.
			A.	R.	P.	£.	s.	d.	£.	s.	d.	
		HUNTINGDON ESTATE.										
1	The Spital Close - - - -	John Pumfret, a Burgess -	2	0	0	-	-	-	10	0	0	{ Not set forth in Defendants answer.
2	New Pasture - - - -	The Burgesses - - - -	75	3	15	20	0	0	334	7	6	
3	Little Close - - - -	E. Maile, a Burgess - -	1	0	31	14	0	0	5	18	9	
4	Great Close - - - -	Do. - - - -	3	2	18½	3	10	0	16	3	4	{ Not set forth in Defendants answer.
5	Part of a Close - - - -	G. Cawley, a Burgess - -	1	0	0½	3	10	0	5	0	0	
6	A Balk on Blackstone Leys -	- - - -	0	3	0	-	-	-	2	0	6	
7	A do. - on do. - - - -	- - - -	0	1	31	-	-	-	1	3	7	{ Not set forth in Defendants answer.
8	Three Leys Stanton Butts -	Mr. Perkins, a Burgess -	1	0	17	2	2	0	3	5	7	
9	A Piece Quail's Meadow - -	Sir Jno. Arundel, a do. -	1	2	4½	2	10	0	3	13	6	
10	Broom's Hole Ley - - - -	The Burgesses - - - -	0	0	27	-	-	-	0	11	3	{ Not set forth in Defendants answer.
11	Tenement and Garden - - -	Wo. Sanders and another -	0	0	21	-	-	-	6	0	0	
12	Bottom of late Simon's Garden, now part of School Close -	- - - -	0	0	2	No rent.			23	2	10	
13	The School Close - - - -	Rev. E. Edwards, a Burg. -	3	1	23	No rent.			0	10	0	{ Not set forth in Defendants answer.
14	Bottom of Wilson's Garden -	Mr. Wilson - - - -	0	0	3½	0	5	0	0	10	0	
15	Do. Messrs. Sweetings do. -	Messrs. Sweeting, Burgs. -	0	0	3½	1	0	0	0	10	0	
16	The School-house Yard & Garden	Rev. E. Edwards - - - -	-	-	-	No rent.			70	0	0	{ Not set forth in Defendants answer.
&	Messuage and Premises - -	Mr. C. Dawes, a Burg. -	-	-	-	14	0	0	40	0	0	
17	Do. - - - -	Mr. Thos. Mutton - - -	0	2	34½	9	0	0	20	0	0	
18	Do. - - - -	W. Lamb, a Burgess - -	-	-	-	5	0	0	8	0	0	{ Not set forth in Defendants answer.
19	Do. - - - -	John Cater, a do. - - -	-	-	-	-	-	-	12	0	0	
20	A Passage between Mr. Slow's and School Yard - - - -	- - - -	0	0	15	-	-	-	5	0	0	
21	House and Yard - - - -	Mr. Aldn. Slow, a Burg. -	0	0	13½	20	0	0	50	0	0	{ Not set forth in Defendants answer.
22	Chandlery and Yard - - - -	Do. - - - -	-	-	-	-	-	-	20	0	0	
23	A Garden - - - -	D. Makie, Esq. - - - -	-	-	-	-	-	-	2	10	0	

Schedule of the several Estates belonging to Saint John's Hospital.—Continued.

HUNTINGDON SCHOOL.

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No.	PREMISES.	TENANTS.	Quantity.		Rent set forth in the Defendants Answer.		Improved Rent.		REMARKS.
			A.	R. P.	£.	s. d.	£.	s. d.	
22	A Close	HUNTINGDON ESTATE.	1	2 14	4	5 0	10	7 0	
22 a	A do. and Garden	C. Slow, Esq. a Burgess	1	3 0	8	0 0	9	6 10	
23	Part of a Garden	D. Makie, Esq. a do.	0	0 24	2	10 0	1	0 0	
24	Piece of Garden Ground	Mr. Hubner	0	1 20	2	2 0	1	10 0	
25	A do.	Mr. John Wood	0	0 28	2	12 6	1	0 0	
26	Part of Temple Close	Mr. Newell	1	0 15	0	5 0	7	2 2	
27	Piece adjoining Colt Close	C. Slow, Esq. a Burgess	0	0 37	1	10 0	5	0 0	
28	piece of Slaughter-house	E. Howson, do.	0	0 1 3/4	1	14 6	4	0 0	
29	The Bath	Mr. Bradshaw	-	-	1	14 6	1	14 6	
		John Warrington	2	1 4	6	6 0	11	11 3	
a.	Fardle Stile Close	ADDITIONS.	1	0 21	5	0 0	6	15 0	
b.	The George Close	The Burgesses							
		John Lawrence, Esq. a Burgess							
	The above two Closes were received in exchange for								
		A. R. P.							
	c. Yard and House	0 0 17 1/2							
	d. Rick Yard	0 1 2							
	e. Two Leys in Gallows Close	0 2 24 1/4							
f.	St. John Ware Close, bought with Mr. Dryden's money	Rev. Mr. Edwards, as School-master, paying no rent	1	3 32	No rent.		11	12 6	
		LITTLE STUKELEY ESTATE.							
1	A Close of Pasture	Mr. Kendall	0	3 21	1	8 0	3	0 0	
		SALTREE ESTATE.							
1	Fen-lane Close	Mr. Barnes	2	2 28	} 30 0 0 {		9	6 0	
2	Two Arable Closes	Do.	23	2 34			33	5 0	
		GREAT STUKELEY ESTATE.							
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George Inn, HUNTINGDON, 7th August, 1815.

In Chancery.

BETWEEN

His Majesty's Attorney General, at the relation of }
Thomas Allnutt, Esquire, Edward Skey Bailey, } Informants.
James William Pocock, and John Wright - - }

AND

The Mayor, Aldermen and Burgesses of the Borough }
of Huntingdon, Sir John Arundell, Knight, and } Defendants.
Henry Sweeting, the younger - - - - }

At the execution of a commission for the examining of witnesses in this cause, this Parchment writing marked (B.) was exhibited to us, and shown to Thomas Lovell, William Wandly, Charles Humsfry and Samuel Wells, the younger, and by them deposed unto at the time of their examination, to the first, second, third, fourth and fifth interrogatories on the part of the informants,

George Platel.
King John Haggerston.
Edward Randall.
William Morley.

Have you found the expences of the proceedings in the Court of Chancery to be very great?—Yes, enormous, above 1000*l.*; in addition to the attempts they have made to make me miserable, they have rendered my life very uncomfortable during the proceedings.

Are there other charities in the town?—A great many others; there is a considerable charity in the grant of the Mercer's Company.

In whose hands is it?—The corporation rent it of the Mercers.

Are the lands near Huntingdon?—I do not know exactly of what it consists, but I know one thing, that the Mercer's Company ought to appoint a proper person to preach the lecture; but the rector takes it, and pays his curate, without preaching the lecture; it is 50*l.* or 60*l.* a year.

Are the lands of that charity under-let?—Not that I know of; I believe they are well let.

Is the rector a burgess?—Yes.

Does he vote always for Lord Sandwich?—Yes. There is also a considerable charity for education at Ramsay, Mr. Fellowes is lay-rector; the trustees ought to be the principal inhabitants of the town, but are, in fact, his inferior tenants; they have built a very considerable house and school-room, into which he has put the clergyman of the parish, and he pays the curate, no doubt; the clergyman ought to have more payment, if it were not for that circumstance.

What is that worth?—120*l.* a year I should think.

What is the object of that charity?—To teach poor children.

Are there any taught?—Yes, there are some taught by the clergyman, who lives in the house.

Do you know of any other charity in Huntingdon, which has large estates?—No, no other which has large estates; there many others.

Are the corporation trustees for the estates?—Yes, they are trustees of all of them; they have got more or less into all the trusts.

Does that increase the interest of the corporation?—No doubt of it.

Are the funds of those charities generally applied according to the uses of the foundation?—Yes; but with favoritism whenever it can be done, I have no doubt.

MR. BROUGHAM'S ACCOUNT

OF AN

ESTABLISHMENT IN SWITZERLAND.

I CONSIDER that I shall render an acceptable service, and assist the inquiries of this Committee, by giving an account of a very important institution, connected intimately with the instruction and improvement of the poor, at Hofwyl, near Berne, in Switzerland, under the management of the owner of that estate, Mr. Fellenberg, a patrician of that canton.

Happening to be in Switzerland in the autumn of 1816, I went to Berne, for the purpose of visiting Mr. Fellenberg's institution, which is situated in a pleasant country, about four miles from the town. I was received by him with great courtesy; he showed me himself every part of his establishment, and appeared anxious to have the whole details of its management investigated. My intention was to return, and pass a few weeks there for the purpose of acquiring further information respecting the system, and more especially the extraordinary economy which prevails, and which enables Mr. F. to effect so much with such slender means. This can only be learnt by a daily examination of minute particulars: to facilitate which Mr. F. was kind enough to offer me the use of a chateau in the neighbourhood of his own residence; but the state of the weather for many weeks, and of my own health, made it desirable that I should proceed to Italy, without accomplishing my purpose. I cannot, however, avoid strongly recommending a residence at Hofwyl, to any one who may interest himself in these important inquiries; and I can venture to engage for Mr. Fellenberg, that he will give such a one, if properly recommended, the same facilities which he so readily offered to me.

Several tracts have been written upon the subject; the best of which is entitled, "*Rapport fait à S. M. I. L'Empereur Alexandre, sur l'Etablissement de Hofwyl.*" It purports to be the work of the Count of Capo D'Istria, but was in fact written entirely by Mr. C. Pictet of Geneva, who has paid great attention to the plans of Mr. Fellenberg, and examined them carefully in different stages of their progress. The work of Mr. Rengger deserves also to be consulted; and Mr. F. himself has published some tracts in German. All these publications are to be had at the bookseller Paschoud's, in Geneva and Paris.

The groundwork of the establishment is a farm of moderate extent, from 210 to 220 posen, answering nearly to our English acres, which Mr. F. cultivates himself with great assiduity and success. Upon this he has ingrafted the other branches of his institution, which consists of a Seminary for the education and moral and religious improvement of the poor; an Academy for the richer classes of society; an Agricultural Institution for a limited number of pupils; and a Manufactory of agricultural implements.

The Academy consists of fifty or sixty pupils, who are taught every branch of useful learning, from Latin and Greek (which last they are peculiarly well grounded in, from the plan adopted of beginning with it) to the higher branches of the mathematics and of physical science. These pupils are chiefly of patrician families. When I was there, I found seven or eight German princes among them, beside several sons of German nobles; and the Prince and Princess of Wirtemberg (the present King and Queen) were expected in a few days to visit the place, with the design of prevailing on Mr. F. to make room for another young prince under their care. All these pupils go through the same discipline; eat at the table with Mr. F. and his family; and pay about 60*l.* sterling a year for all expenses, exclusive of clothes. I ought to add, that when the troubles upon the Continent had reduced so many families to great distress, Mr. F. kept above a dozen of the young men for nothing during two years. This part of the establishment creates the principal expense, as about twenty eminent professors belong to it, whose salaries amount to between 2,000*l.* and 3,000*l.* a year. On the other hand, they form a very interesting society, and render a residence in the neighbourhood alike instructive and agreeable.

The Agricultural Institution is peculiarly under Mr. F.'s own care, and consists of about twenty pupils more advanced in years than the former class. They are taught practically in the farm; and have likewise hours of scholastic instruction, and of meetings for discussion with Mr. F. They are separately lodged and boarded at Buchsee, a chateau about a mile distant from Mr. F.'s house. The Manufactory of agricultural implements is extremely beautiful, from the neatness and excellence of the workmanship, but especially from the valuable improvements in mechanism which Mr. F. has introduced. Among these may be mentioned his horse-hoe, his scarifier or extirpator, his root and straw cutters; and above all, his drill, which has been highly admired by all competent judges, and, I believe, been honoured with the approbation of the Board of Agriculture in this country.

The branch of the establishment, however, which is more particularly deserving of attention, and with which all the others are more or less connected, is the seminary for the poor. Mr. F. having long remarked the extreme profligacy of the lowest orders in the Swiss towns, and the habits of ignorance and vice in which their children were brought up, formed many years ago the design of attempting their reformation, upon principles equally sound and benevolent. His leading doctrine was, that to make those poor people better, it was necessary to make them more comfortable; and that this end would be best attained by forming in their earliest years habits of industry, which might contribute to their subsistence, and by joining with them a greater degree of intellectual cultivation than has ever yet been extended to the labouring classes of the community, or been imagined to be compatible with their humble pursuits. He began his experiments upon a small number of children, which he has now increased to between thirty and forty; and this may be reckoned the utmost limit upon a farm of so moderate an extent. Those children were taken from the very worst description of society; the most degraded of the mendicant poor in Berne and other Swiss towns. With hardly any exception, they were sunk in the vicious and idle habits of their parents, a class of dissolute vagrants, resembling the worst kind of gipsies. The complete change that has been effected in them all, is one of the most extraordinary and affecting sights that can be imagined. When I saw them, there were some who had been there for several years, and had grown up towards manhood; but the reformation in almost all took place during from one to two years,

or a very little more, according as they were taken at an earlier or more advanced age. The remark which I made, is that which immediately strikes all who visit Hofwyl;—the appearance of the children alone, their countenance and manner, impresses you with a conviction of their excellent dispositions. To describe all the steps of the process by which this reformation has been effected, would be impossible, as much depends on minute circumstances, and upon the great skill and judgment of Vehrli, a young man who has devoted his life, under Mr. Fellenberg, to the superintendence of this part of the establishment, and to whose extraordinary virtue and ability its success is principally owing. But I shall endeavour to give the Committee some idea of the mode of treatment pursued.

The first principle of the system is to show the children gentleness and kindness, so as to win their affections, and always to treat them as rational creatures, cultivating their reason, and appealing to it. It is equally essential to impress upon their minds the necessity of industrious and virtuous conduct to their happiness, and the inevitable effects of the opposite behaviour, in reducing them from the comfort in which they now live to the state of misery from which they were rescued. A constant and even minute superintendence, at every instant of their lives, forms of course part of the system; and, as may easily be supposed, the elder boys, who have already profited by the care of the master, aid him in extending it to the new comers, who for this purpose are judiciously distributed among them. These are, I am aware, very general principles, and upon their judicious application to practice in each particular instance, according to the diversities of individual character, their whole virtue depends. But a somewhat more specific notion of the plan may be formed by observing, that it is never allowed for a moment to be absent from their thoughts, that manual labour, in cultivating the ground, is the grand and paramount care which must employ their whole lives, and upon which their very existence depends. To this every thing else is made subordinate; but with this are judiciously connected a variety of intellectual pursuits. At their hours of relaxation, their amusements have an instructive tendency; certain hours are set apart for the purposes of learning; and while at work in the fields, the conversation, without interrupting for a moment the necessary business of their lives, is always directed towards those branches of knowledge in which they are improving themselves during the intervals of labour. Beside writing and cyphering, (at which they are very expert,) they apply themselves to geography and history, and to the different branches of natural history, particularly mineralogy and botany, in which they take a singular delight, and are considerable proficient. The connexion of these with agriculture render them most appropriate studies for those poor children; and as their daily labour brings them constantly into contact with the objects of those sciences, a double relish is thus afforded at once to the science and the labour. You may see one of them every now and then stepping aside from the furrow where several of them have been working to deposit a specimen, or a plant, for his little hortus siccus, or cabinet; and Mr. Fellenberg rarely goes into the field where any of them are labouring, without being called upon to decide some controversy that has arisen upon matters relating to mineralogy or botany, or the parts of chemical science which have most immediate relation to agriculture. There is one other subject which is ever present to their minds; I mean a pure and rational theology. Mr. F. is deeply imbued himself with the sense of religion; and it enters into all his schemes for the improvement of society. Regarding the state of misery in which the poorest classes

live, as rather calculated (if I may use his own expression) to make them believe in the agency of a devil than of a God, his first care, upon rescuing those children from that wretchedness, is to inspire them with the feelings of devotion which he himself warmly entertains, and which he regards as natural to the human heart, when misery has not chilled nor vice hardened it. Accordingly the conversation, as well as the habits of the poor at Hofwyl, partake largely of religious influence. The evidences of design observable in the operations of nature, and the benevolent tendency of those operations in the great majority of instances, form constant topics of discourse in their studies, and during the labours of the day; and though no one has ever observed the slightest appearance of fanaticism or of superstition (against which, in truth, the course of instruction pursued is the surest safeguard) yet ample testimony is borne by all travellers to the prevailing piety of the place. One of these has noted an affecting instance of it, when the harvest once required the labourers to work for an hour or two after night-fall, and the full moon rose in extraordinary beauty over the magnificent mountains that surround the plain of Hofwyl. Suddenly, as if with one accord, the poor children began to chaunt a hymn which they had learnt among many others, but in which the Supreme Being is adored as having "lighted up the great lamp of the night, and projected it in the firmament."

The details which will be found in the works I have already referred to, give minute and satisfactory illustrations of the virtuous habits of these labourers, and of the happy and contented lives which they lead. I trust that one or two of them, such as the "*Rapport*," will be translated into English. That the complete education which it is Mr. Fellenberg's principle to give the children, interferes in no degree with the business of their lives, but rather forwards it; and that the farm cultivated by them succeeds perfectly, the inspection of his accounts (which he lays open to every visitor as a matter of course) clearly demonstrates. The profits of the farm, consisting of $214\frac{1}{2}$ posen (nearly equal to our acre) for the four years ending 1814, were annually 14,176 Swiss livres, or about 886*l.* sterling, being above 4*l.* an acre, including the interest on the original purchase money of the land. The cattle concern is entirely kept out of this account, which therefore exhibits more clearly the success of the cultivation depending upon labour. It is to be observed, that Mr. Fellenberg has had to contend with powerful prejudices on the part of his countrymen, and has certainly received neither encouragement nor countenance from the government of the Canton. On the contrary, the belief very universally prevails, that he is regarded by them with an unfavourable eye, and that strangers are not much encouraged to visit Hofwyl. The first impression, propagated with some industry, was, that his visionary schemes would be his ruin. When the undertaking seemed to prosper, the attack was changed, and he is now upbraided with amassing a large fortune; an accusation equally unfounded, as the account which I have given of his great liberality and charity may serve to show. The patrician order (to which he belongs) also took umbrage at his devoting himself to what was termed "a schoolmaster's life," (*vie pædagogique*). But I trust that these prejudices are now wearing away; and certainly he is, in this respect, largely indebted to the enlightened assistance of M. de Bonstetten, M. Pictet, and the other men of letters at Geneva, who have always zealously favoured his undertaking.

That the habits of common labour are perfectly reconcilable with those of a contemplative and even scientific life; and that a keen relish for the pleasures of speculation, may be united with the most ordinary pursuits of the poor, seems to be proved by this experiment of Mr. Fel-

lenberg. I am quite aware that he has only made it upon a small scale; that its application to a populous district may be difficult; and that a substitution of manufacturing for agricultural labour would greatly augment the difficulty. Nevertheless, before we say that little can be effected in this way, we ought to consider how limited have been Mr. Fellenberg's means. The farm on which he has done so much is under 220 acres; and his income, independent of the profit he derives from the breeding of horses, in which he is very skilful, and his manufactory of husbandry implements, does not exceed five hundred a year. The extraordinary economy which reigns in his establishment, is indeed requisite to explain the existence of such an institution; for although the Academy and Institute are supported by the richer pupils, these pay a very moderate sum; and the family, who are lodged and wholly supported at Hofwyl, amounts to 180 persons. These dine at six different tables; and their food, though simple, is extremely good.

Before concluding this statement, I must add that Mr. Fellenberg's principal object in establishing the Academy for the wealthier classes, is to teach them their duties towards the poor; and above all, to inculcate the propriety of their adopting, each in his own sphere, the system pursued with respect to the poor children at Hofwyl. As they learn that system in all its details, and as they almost all become enthusiasts in it, there is reason to hope that its benefit may spread into other parts of the world. The primary difficulty, no doubt, is to find such admirable superintendents as Vehrli. But we may confidently trust that some of the youths trained at Hofwyl will be able to carry the methods adopted there into practice elsewhere. And I may add, that I believe nothing would give Mr. Fellenberg more satisfaction than to receive a pupil sent there to learn those methods. In order to profit immediately by his stay at Hofwyl, such a person should understand German, as that is the language spoken by Vehrli and the labourers.

Mr. Fellenberg having observed the general defects in the education of youth in Switzerland, arising from the ignorance of the schoolmasters, (whose emoluments are inferior to the wages of ordinary labour) adopted a very judicious plan for remedying this evil. He assembled about forty of them one summer, and kept them at Hofwyl during their vacation of three months. He there had them instructed by the professors of the place, in various branches of knowledge. Being men of industrious habits, and sufficiently anxious to learn, they made great progress, and still further improved themselves on their return to their homes. Mr. Fellenberg invited them all to assemble the next year, but the Government for some reason which I cannot pretend to explain, took umbrage at this proceeding, and prohibited the meeting. However, the neighbouring canton of Zurich, encouraged their teachers to resort to Hofwyl, where a number of them were accordingly maintained and instructed in the same manner as the Bernese masters had been the year before.

There is another institution for education, at Yverdon, which I also visited in August, 1816. It is under the direction of Mr. Pestalozzi, and consists of above a hundred boys, who are taught every branch of learning, by different masters, upon a principle quite new and deserving of notice. Mr. P. observes, that the received methods of instruction are too mechanical; that children are taught by rote, and that their reasoning faculties are not sufficiently called into action. Accordingly all his pupils are taught in a way that excludes mere mechanical operations, and certainly tends greatly to exercise the mind. No books are allowed; but the master standing before a large board or slate, on

which he writes, cyphers, or draws, (as the case may be) explains or demonstrates to the boys who sit around him; and whose attention is kept awake to every step of the process by constant examinations, in which they are obliged to go through the steps themselves *viva voce*. I saw many of them who had gone a considerable way in the mathematics, without having ever used a book. One only had reached the fluxional calculus, of which, from a question I gave him to work, he appeared to have an imperfect notion; although in a far shorter time than he had been learning, the young men in this country acquire great expertness in the highest branches of analytical science. But he and the others whom I examined, had certainly a very accurate knowledge of the *rationale* of all the operations which they had learnt, and their minds were much strengthened, I doubt not, by the constant exercise of thought unconnected with notation. I conceive that analytical investigations might be rendered more useful, and might approach more to those of geometry, in their beneficial effects upon the reasoning powers, were somewhat of M. Pestalozzi's principle adopted. That he carries it too far, seems equally clear to me, and I have been informed that his pupils when they come to mix in the business of life, in counting-houses, &c. are very much thrown out, at least at first, by their having been unaccustomed to the use of books. I should however wish to be understood as speaking with diffidence on this subject, from my imperfect examination of it. I understand that a gentleman from Ireland has made it his peculiar study, with the view of introducing it there; and he may, I trust, before long, give the public an account of it in detail.

THE END.

BIBLIOTHECA
REGIA
MONACENSIS

H. Bryer, Printer, Bridewell Hospital, London.

Brougham and Vaux, Henry Brougham, 1778-1868

Appendix to Mr. Brougham's letter containing minutes of evidence taken
before the Education Committee

London 1818

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